

ROANOKE CITY COUNCIL REGULAR SESSION

FEBRUARY 18, 2003 2:00 P.M.

CITY COUNCIL CHAMBER

AGENDA

1. Call to Order--Roll Call.

The Invocation will be delivered by The Reverend Horace D. Light, Pastor, Hollins Road Church of the Brethren.

The Pledge of Allegiance to the Flag of the United States of America will be led by Mayor Ralph K. Smith.

Welcome. Mayor Smith.

NOTICE:

Meetings of Roanoke City Council are televised live on RVTV Channel 3. Today's meeting will be replayed on Channel 3 on Thursday, February 20, 2003, at 7:00 p.m., and Saturday, February 22, 2003, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

ANNOUNCEMENTS:

THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE THURSDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.

THE CITY CLERK'S OFFICE NOW PROVIDES THE MAJORITY OF THE CITY COUNCIL AGENDA ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT <u>WWW.ROANOKEGOV.COM</u>, CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.

ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.

ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541, OR ACCESS THE CITY'S HOMEPAGE AT WWW.ROANOKEGOV.COM TO OBTAIN AN APPLICATION.

2. PRESENTATIONS AND ACKNOWLEDGMENTS:

Proclamation declaring Tuesday, February 18, 2003, as Jim Olin Day.

P 9

Government Finance Officers Association Distinguished Budget Presentation P 10 Award.

CONSENT AGENDA 3.

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

Minutes of the regular meetings of Council held on Monday, C-1 November 20, 2000, and January 6, 2003.

P 11

RECOMMENDED ACTION: Dispense with the reading thereof and approve as recorded.

C-2 A communication from the Honorable Ralph K. Smith, Mayor, requesting a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended.

P 89

RECOMMENDED ACTION: Concur in the request.

C-3 A communication from the City Manager requesting that Council schedule a public hearing for Monday, March 17, 2003, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to a proposed encroachment into a public right-of-way at 3308 Franklin Road, S. W.

P 90

RECOMMENDED ACTION: Concur in the request.

C-4 Minutes of the Greater Roanoke Transit Company Audit Committee held on Monday, February 3, 2003.

P 91

RECOMMENDED ACTION: Receive and file.

C-5 Minutes of the Roanoke City Audit Committee meeting held on Monday, February 3, 2003.

P 93

RECOMMENDED ACTION: Receive and file.

C-6 A communication from the City Attorney requesting that Council convene in a Closed Meeting to discuss disposition of publicly-owned property, pursuant to Section 2.2-3711 (A)(3), Code of Virginia (1950), as amended.

P 95

RECOMMENDED ACTION: Concur in the request.

C-7 A communication from the City Attorney requesting that Council convene in a Closed Meeting for consultation with legal counsel regarding a specific legal matter requiring the provision of legal advice by such counsel, pursuant to Section 2.2-3711 (A)(7), Code of Virginia (1950), as amended.

P 96

RECOMMENDED ACTION: Concur in the request.

REGULAR AGENDA

4. PUBLIC HEARINGS: NONE.

5. PETITIONS AND COMMUNICATIONS:

a. A request for endorsement by Council of a resolution recognizing the architectural and historic significance of the Fairacres property, 2713 Avenham Avenue, S. W. Alison S. Blanton, President, Roanoke Valley Preservation Foundation.

P 97

6. REPORTS OF OFFICERS:

CITY MANAGER: a.

BRIEFINGS: NONE.

ITEMS RECOMMENDED FOR ACTION:

A communication with regard to affirmative action and diversity P 100 1. initiatives for calendar year 2002.

A communication with regard to workers' compensation P 111 2. supplemental pay inequities.

(To be withdrawn by the City Manager.)

A communication recommending amendment to the Fee 3. Compendium relative to outdoor dining.

P 112; O 113

A communication with regard to the Elm Avenue and Interstate P 114; 4. 581 Interchange study.

B/O 116

A communication recommending transfer of funds for snow 5. removal.

P 117; B/O 119

A communication in connection with funding for the Fifth 6. District Employment and Training Consortium Welfare to Work Grant.

P 121; B/O 123

7. A communication with regard to renewal of the Roanoke Homeless Assistance Team Grant.

P 125; B/O 127; R 129

7. **REPORTS OF COMMITTEES:**

A report of the City Planning Commission transmitting the 2002 Annual a. Report.

P 130

A communication from the Roanoke City School Board requesting b. appropriation of funds for various school accounts; and a report of the Director of Finance recommending that Council concur in the request.

P 134; B/O 135

UNFINISHED BUSINESS:

Discussion with regard to the First Street Bridge (pedestrian or a. vehicular).

9. INTRODUCTION AND CONSIDERATION OF **ORDINANCES AND RESOLUTIONS:**

Ordinance No. 36232, on second reading, amending and reordaining B/O 137 a. certain sections of the 2002-03 Capital Projects Fund Appropriations.

MOTIONS AND MISCELLANEOUS BUSINESS: 10.

- Inquiries and/or comments by the Mayor, Vice-Mayor and Members of a. City Council.
- b. Vacancies on certain authorities, boards, commissions and committees appointed by Council.

11. HEARING OF CITIZENS UPON PUBLIC MATTERS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

CITY MANAGER COMMENTS: 12.

CERTIFICATION OF CLOSED MEETING.

THE COUNCIL MEETING WILL BE DECLARED IN RECESS UNTIL 7:00 P.M., IN THE CITY COUNCIL CHAMBER.



ROANOKE CITY COUNCIL REGULAR SESSION

FEBRUARY 18, 2003 7:00 P.M.

CITY COUNCIL CHAMBER

AGENDA

Call to Order -- Roll Call.

The Invocation will be delivered by Vice-Mayor C. Nelson Harris.

The Pledge of Allegiance to the Flag of the United States of America will be led by Mayor Smith.

Welcome. Mayor Smith.

NOTICE:

Tonight's meeting will be televised live by RVTV Channel 3 to be replayed on Thursday, February 20, 2003, at 7:00 p.m., and Saturday, February 22, 2003, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

A. PUBLIC HEARINGS:

1. Public hearing on a proposed amendment to the following sections of Chapter 36.1, Zoning, Code of the City of Roanoke (1979), as amended: Section 36.1-164, Permitted uses, and Section 36.1-185, Permitted uses, to remove medical clinics as a permitted use in the CN, Neighborhood Commercial District, and the C-1, Office District; and amending and reordaining Section 36.1-165, Special exception uses, and Section 36.1-186, Special exception uses, to add medical clinics as a use permitted by special exception in the CN, Neighborhood Commercial District, and the C-1, Office District. Robert B. Townsend, Director, Planning, Building and Development.

P 138; O 141

2. Public hearing with regard to a proposal of the City of Roanoke to allow encroachment of an awning extending at least eight feet and eight inches above the sidewalk and approximately 30 inches into the public right-of-way at the corner of 1 West Campbell Avenue and Jefferson Street, S. W. Darlene L. Burcham, City Manager.

P 143; O 149

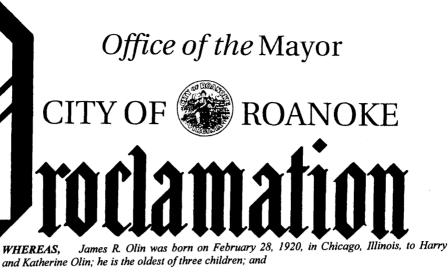
3. Public hearing on a proposal of the City of Roanoke to award a contract for lease and management of the Historic City Market Building. Darlene L. Burcham, City Manager.

P 152

C. HEARING OF CITIZENS UPON PUBLIC MATTERS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

THE CITY COUNCIL MEETING WILL BE DECLARED IN RECESS UNTIL THURSDAY, FEBRUARY 27, 2003, AT 10:00 A.M., AT THE ROANOKE REGIONAL TRAINING CENTER, 1220 KESSLER MILL ROAD, SALEM, VIRGINIA, FOR A JOINT MEETING OF THE ROANOKE CITY COUNCIL AND THE ROANOKE COUNTY BOARD OF SUPERVISORS TO DISCUSS A REGIONAL WATER AND SEWER AUTHORITY.



WHEREAS, Jim Olin graduated from New Trier High School in Evanston, Illinois, where he was class President and right-guard on the football team; he then spent three years at Deep Springs Junior College, a work-study liberal arts school located on a ranch in the California desert; he graduated from Cornell University with a degree in Electrical Engineering in 1943;

WHEREAS, Jim Olin met Phyllis Avery at Cornell University and they were married in October, 1944, one week after her college graduation and his graduation as a second lieutenant from the Signal Corps Officers Candidate School at Ft. Monmouth, New Jersey; the following year, he was given a Signal Corps assignment at Fairbanks, Alaska; upon arrival in Alaska, he received a telegram announcing the arrival of his first son, Richard; and

WHEREAS, after his Army discharge, Jim worked for the General Electric Company as a "test engineer" in Erie, Pennsylvania, and then Schenectady, New York, where he and his wife became the parents of four additional children: Tom, Kathy, James Jr., and Trina; and

WHEREAS, Jim Olin became involved in politics and he started working for local, state and national Democratic candidates; he was elected to his first elective office as Supervisor of the Town of Rotterdam, New York; and

WHEREAS, Jim Olin was promoted to the General Manager of the General Electric plant in Salem, Virginia, and the Olins moved to Roanoke, where, in addition to his corporate duties, he became active in community and political affairs; he is a member of the Unitarian Universalist Church; and

WHEREAS, Jim Olin retired in 1982 as Vice-President of General Electric; he ran for the United States Congress and was elected as 6th District of Virginia Congressman in 1982; he served on the Agriculture Committee and the Small Business Committee, and he is most proud of his work in establishing ten wilderness areas in Virginia and the Buena Vista Flood Control Project; he retired from Congress after serving with distinction for ten years.

WHEREAS, the Olins will relocate to Charlottesville, Virginia, to be close to their five children and eleven grandchildren in March, 2003.

NOW, THEREFORE, I, Ralph K. Smith, Mayor of the City of Roanoke, Virginia, in recognition of his years of faithful and outstanding service to his community and to the political process of this great country, do hereby proclaim Tuesday, February 18, 2003, throughout this great All-America City, as

JIM OLIN DAY.

Given under our hands and the Seal of the City of Roanoke this fourteenth day of February in the year two thousand and three.

ATTEST

Mary F. Parker City Clerk

Ralph K. Smith Mayor



203 North LaSalle Street, Suite 2700, Chicago, Illinois 60601-1210 312/977-9700 • Fax: 312/977-4806

December 11, 2002

PRESS RELEASE

For Further Information Contact Stephen J. Gauthier (312) 977-9700

Chicago--The Government Finance Officers Association of the United States and Canada (GFOA) is pleased to announce that **City of Roanoke**, **Virginia** has received the GFOA's Distinguished Budget Presentation Award for its budget.

The award represents a significant achievement by the entity. It reflects the commitment of the governing body and staff to meeting the highest principles of governmental budgeting. In order to receive the budget award, the entity had to satisfy nationally recognized guidelines for effective budget presentation. These guidelines are designed to assess how well an entity's budget serves as:

- a policy document
- a financial plan
- an operations guide
- a communications device

Budget documents must be rated "proficient" in all four categories to receive the award.

When a Distinguished Budget Presentation Award is granted to an entity, a Certificate of Recognition for Budget Presentation is also presented to the individual or department designated as being primarily responsible for its having achieved the award. This has been presented to **Department of Management and Budget**.

Since the inception of the GFOA's Distinguished Budget Presentation Awards Program in 1984, approximately 900 entities have received the Award. Award recipients have pioneered efforts to improve the quality of budgeting and provide an excellent example for other governments throughout North America.

The Government Finance Officers Association is a nonprofit professional association serving 14,000 government finance professionals throughout North America. The GFOA's Distinguished Budget Presentation Awards Program is the only national awards program in governmental budgeting.

REGULAR WEEKLY SESSION-----ROANOKE CITY COUNCIL

November 20, 2000

12:15 p.m.

The Council of the City of Roanoke met in regular session on Monday, November 20, 2000, at 12:15 p.m., the regular meeting hour, in the Emergency Operations Center Conference Room, Room 159, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, Virginia, with Mayor Ralph K. Smith presiding, pursuant to Rule 1, Regular Meetings, of Section 2-15, Rules of Procedure, Code of the City of Roanoke (1979), as amended; and pursuant to Resolution No. 34905-070300 adopted by the Council on July 3, 2000.

PRESENT: Council Members C. Nelson Harris, W. Alvin Hudson, Jr., William D. Bestpitch, William H. Carder and Mayor Ralph K. Smith------5.

ABSENT: Council Members William White, Sr., and Linda F. Wyatt-----2.

OTHERS PRESENT: Peter Larkin, District Director for Congressman Goodlatte; Richard A. Kelly, Assistant Superintendent of Operations, Roanoke City Public Schools; Thomas A. Dick, City of Roanoke Legislative Liaison; and Philip C. Schirmer, City Engineer.

The Mayor congratulated Congressman Goodlatte on his recent reelection; and advised that immediately following lunch, the business session would convene.

The invocation was delivered by Council Member Harris.

Following lunch, the business session convened at 12:45 p.m.

Congressman Goodlatte congratulated Mayor Smith and Vice-Mayor Carder on their election to Roanoke City Council, and Ms. Burcham on her appointment as City Manager.

Congressman Goodlatte advised that he continues to follow with great interest the planning for locating I-73 that is routed by Federal Law through the Roanoke Valley for the purposes of improving highway safety, particularly to upgrade or replace Route 220 south of Roanoke for economic development purposes and to provide better connections to the Piedmont Triad of North Carolina and Charlotte,

North Carolina; and the Virginia Department of Transportation will hold a series of public hearings beginning in December 2000, and a decision will be made in the spring of 2001. He further advised that he is working with local and Blue Ridge Parkway officials to develop a Blue Ridge Parkway Interpretive Center which will include a Visitor's Center at Explore Park. He stated that legislation that was jointly introduced by Congressman Frederick C. Boucher will ultimately bring local satellite television to the smaller markets in the country, and if the bill passes, it will give residents in the City of Roanoke competition for their local television service; and satellite television is not only something that will enhance competition and the use of satellite technology in smaller communities and rural areas, but will also ultimately be used for high speed Internet access.

Congressman Goodlatte further advised that the Roanoke Regional Airport Commission has convinced the Federal Aviation Administration to transfer slots for Chicago O'Hare Airport to Atlantic Coast Airlines so that airline service could continue an important connection through Roanoke. He stated that working in conjunction with Congressman Boucher, they have supported efforts to bring passenger rail service to southwest Virginia, including legislation that has been signed into law requiring AMTRAK to participate in a Virginia initiative to provide passenger rail service from Abington to Roanoke to Lynchburg to Richmond and to Washington, D.C. He advised that with AMTRAK required to participate, if negotiations lead to a cooperative venture, the railroads must provide the right-ofway to AMTRAK which has a nationwide right-of-way for passenger rail service; and the initiative by the Norfolk Southern Corporation to improve its track lines from Chattanooga, Tennessee, to Harrisburg, Pennsylvania, would improve the amount of time a passenger train runs through that area from speeds as low as 20 or 30 miles per hour to speeds up above 60 miles per hour, however, the problem is the railroad does not have the capital to make this kind of investment, and for the first time, the railroad industry is looking for assistance with its transportation needs by government appropriations.

Congressman Goodlatte stated that he supports the efforts of the City of Roanoke and Center-In-The-Square to utilize the passenger rail station in Roanoke as a visitors' center and a museum; and pointed out that he was successful in obtaining a \$500,000.00 appropriation from Congress which will not sufficiently cover the entire cost of the project, and an alternative supplemental funding source is under review. He further stated that he is working with the City Manager on a question with regard to construction in flood plains, and has contacted the Federal Emergency Management Agency. He expressed an interest in the Mayor's initiative to bring better air service to Roanoke, and advised that objections have been raised with the Justice Department regarding the proposed merger of United Airlines and

U. S. Airways; and he is concerned about the loss of competition in all three airports within this Congressional district. He expressed support of the City's efforts to work with Carilion in the Biomedical Research Park, and offered to assist with efforts for grant funds for some of the projects that are to be undertaken.

Council Member Bestpitch expressed appreciation to Congressman Goodlatte for his comments regarding rail service and the airport issue, and advised that he believes the City's total allocation of its resources for transportation needs, along with highways, need to be studied.

Mayor Smith asked for a recommendation as to what the City could do to recruit more high tech businesses; whereupon, Congressman Goodlatte advised that it is a difficult proposition due to a threshold problem, i.e., northern Virginia continues to grow due to the Federal Government issuing contracts; and attracting talent and capital to northern Virginia is easy since the infrastructure is already there.

Congressman Goodlatte further advised that the City has an opportunity to build ties with Virginia Tech, and with improved transportation like the smart highway, and location of the Higher Education Center, Roanoke can become a part of that same benefit; and the Biomedical Research Facility is a key part of building identification with Virginia Tech and the University of Virginia. He stated that Roanoke has a diverse economy with emphasis on medical services, commercial services, banking services, etc., and should pay attention to all sectors of the economic base; however, Roanoke must promote its strengths, which is its quality of life, ties to Virginia Tech, low cost-of-living, and a host of other benefits.

The City Manager raised a question with regard to the satellite television issue previously discussed and inquired if the satellite would have the capability to broadcast the public access channel; whereupon, Congressman Goodlatte responded that he did not know the answer since it is not a broadcast channel, and asked if it was simply an add on cable system. The City Manager responded that she was not certain about the technical term, but thought it was an appropriate and essential medium for government to communicate with its citizens; and advised that the City of Roanoke is resorting to redevelopment, and in the process, is identifying sites that are either active sites for various materials or retired sites. The City Manager requested assistance in identifying various opportunities with regard to brown field sites, both for funding and other special considerations, in order to make the sites conducive to attracting businesses and industries. She called attention to tax credits and other ideas under discussion that would encourage businesses to locate in those areas within communities, which will help the City to stay competitive in this new environment.

The City Manager expressed concern with regard to the buildings being demolished for more surface parking lots in the downtown area, and advised that the City of Roanoke needs to address the parking issue to keep downtown Roanoke viable, and the City is experimenting with a shuttle concept in order to encourage City employees to not park in the immediate downtown area so as to create additional parking spaces; and offering programs or grant funds to expand the shuttle opportunity to businesses in the downtown would not only preserve the character of downtown and the availability of office space, but would also deal with the issue of expensive parking. She complimented Congressman Goodlatte and the Congress on assistance that has been provided through the CDBG program, which is needed to address a multitude of neighborhood issues; and called attention to a HOPE VI grant that is being used in the Lincoln Terrace housing community, but additional assistance is needed to address public housing, with the goal of dispersing the public forms of housing for low and moderate income individuals, as opposed to resorting to congregated housing, such as public housing. She pointed out that the Police Department has benefitted significantly as a result of certain grant programs available to help with crime prevention activity.

Congressman Goodlatte advised that he shares a common interest with the City of Roanoke regarding brown fields, and called attention to his work with the Town of Clifton Forge and Alleghany County on the CSX yards, during which time he worked with the EPA on obtaining a grant for the yards; and he is interested in using the contacts made in Alleghany County to assist the City of Roanoke or other localities that need support with regard to brown fields.

Mr. Kelly called attention to two issues that were more global in nature, and not quite as local or regional as items previously discussed, i.e., the Individuals With Disabilities Education Act, known as the IDEA, in which the Federal Government mandates special education services, making a commitment to support 40% of mandated costs, while the Roanoke City Schools is currently receiving approximately 15% of the mandated costs reimbursement, with the remaining 85% being basically supported by the locality and to some extent by the State. He called attention to recent legislation that Congress was going to increase the amount of educational funding, and it is hoped that Congress will continue to review the issue and in an effort to increase money for special education services since it is one of the fastest growing areas in terms of cost for local school divisions. He stated that the second issue deals with the Qualified Zone Academy Bond or QZAB; the School system has a number of schools located in economic empowerment zones; and Roanoke City Schools have been eligible for about \$1.3 million in funding for Qualified Zone Academy Bonds, but have approximately \$10 - 12 million in requirements. He pointed out that there has been some discussion in Congress about increasing the amount of funding authority for the Qualified Zone Academy Bonds, and on behalf of the Roanoke City School System, he requested that the funding authority be increased. Congressman Goodlatte responded that he is optimistic that funds will be found.

Discussion was held with regard to local governments having the ability to exercise eminent domain to acquire property needed for public projects.

There being no further business, the Mayor declared the meeting in recess at 1:35 p.m., to be reconvened at 3:00 p.m., in the Governor's School Lecture Hall, Patrick Henry High School, 2102 Grandin Road, S. W., City of Roanoke.

At 3:00 p.m., on Monday, November 20, 2000, the regular meeting of City Council reconvened in the Governor's School Lecture Hall, Patrick Henry High School, 2102 Grandin Road, S. W., City of Roanoke, with the following Council Members in attendance, Mayor Smith presiding.

PRESENT: Council Members C. Nelson Harris, W. Alvin Hudson, Jr., William White, Sr., Linda F. Wyatt, William D. Bestpitch, William H. Carder and Mayor Ralph K. Smith------7.

ABSENT: None------0,

OFFICERS PRESENT: Darlene L. Burcham, City Manager; James D. Ritchie, Sr., Assistant City Manager; William M. Hackworth, City Attorney; James D. Grisso, Director of Finance; and Mary F. Parker, City Clerk.

The reconvened meeting was opened with a prayer by Council Member C. Nelson Harris.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Smith.

PRESENTATIONS:

PROCLAMATIONS-HUMAN DEVELOPMENT: The Mayor presented a proclamation declaring the week of November 19 - 25, 2000, as Roanoke Valley Family Week in the City of Roanoke.

BUSES-ACTS OF ACKNOWLEDGEMENT: The Mayor recognized Jimmy Carter, Nathaniel Craig, Chaun Dooley, and Ricky Joseph, Valley Metro Bus Operators, who won the "Best Overall Operator Team" Award at the Twelfth Annual Virginia Transit Roadeo held on August 26 and 27, in Hampton Rhodes, Virginia. He advised that the operators' competition consisted of a written examination, a timed obstacle driving test, and participants were judged on their appearance, knowledge, driving skills, professionalism and safety techniques. He presented Messrs. Carter, Craig, Dooley and Joseph with an emblem of the Roanoke City Seal.

CONSENT AGENDA

The Mayor advised that all matters listed under the Consent Agenda were considered to be routine by the Members of Council and would be enacted by one motion in the form, or forms, listed on the Consent Agenda, and if discussion was desired, that item would be removed from the Consent Agenda and considered separately.

MINUTES: Minutes of the regular meetings of Council held on Monday, June 5, 2000, and Monday, June 19, 2000, were before the body.

(For full text, see Minutes on file in the City Clerk's Office.)

Mr. Carder moved that the reading of the Minutes be dispensed with and that the Minutes be approved as recorded. The motion was seconded by Mr. Hudson and adopted by the following vote:

	AYES:	Council	Members	Harris,	Hudson,	White,	Wyatt,	Bestpitch,	Carder
and N	layor Sm	nith							7.
	•								
	NAYS:	None		#2=#2= 0 0					0.

ZONING-COMMUNITY PLANNING: A communication from Edward A. Natt, Attorney, requesting a revision to language in the LM, Light Manufacturing District, with regard to general service establishment, and to add the following similar language as a permitted use in the HM, Heavy Manufacturing District, was before the Council:

(24) General service establishments primarily engaged in the repair or maintenance of goods or items, including automobiles, trucks, construction equipment, and the provision of business and personal services, provided all repair and maintenance activities are wholly enclosed in a building and provided that the gross floor area of all new buildings for such uses is not less than five thousand (5,000) square feet.

Mr. Carder moved that the request be referred to the City Planning Commission for study, report and recommendation to Council. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch, Carde and Mayor Smith7
NAYS: None
OATHS OF OFFICE-COMMITTEES-YOUTH: A report of qualification of Jenna Decker as a member of the Youth Services Citizen Board, for a term ending May 31 2000, was before Council.
Mr. Carder moved that the report of qualification be received and filed. The motion was seconded by Mr. Hudson and adopted by the following vote:
AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch, Carde and Mayor Smith7
NAYS: None0

REGULAR AGENDA

HEARING OF CITIZENS UPON PUBLIC MATTERS:

BUILDINGS/BUILDING DEPARTMENT-COMPLAINTS: Mr. Frank G. Roupas, 1841 Washington Road, S. W., registered two complaints against the Building Department, i.e., (1) a certificate of record on rental property at 1018 Patterson Avenue, S. W., and (2) an employee of the Building Department who offered legal advice while inspecting a residence. He urged Council to direct the City Manager to investigate the two complaints.

Without objection by Council, the Mayor advised that the remarks of Mr. Roupas would be referred to the City Manager for response.

PETITIONS AND COMMUNICATIONS:

BUDGET-SCHOOLS: A communication from the Roanoke City School Board requesting appropriation of funds to the following school accounts, was before Council:

\$184,542.00 from 2000-01 Capital Maintenance and Equipment Replacement Funds to fund textbook adoptions, records storage, music instrument replacement, facility maintenance equipment, modular buildings, roof replacement, handicap access, Magnet School improvements, and elementary school improvements.

\$625,000.00 to provide additional 1999 Bond Funds for architectural, engineering, survey, and soil analysis fees for the new Roanoke Academy for Mathematics and Science facility.

\$18,000.00 to provide for an educational training program at the Blue Ridge Technical Academy for high school students at risk of academic failure and dropping out of school; State funds have been received for curriculum development and planning needs, which is a continuing grant program.

\$17,524.00 for the Flowers for Education Program (horticulture curriculum) at William Fleming and Patrick Henry High Schools; the program will provide opportunities for students with disabilities for competitive employment, which is a continuing program that will be reimbursed 100 per cent by Federal funds.

\$6,797.00 for the Special Education Interpreter Training Program to provide for development of a training curriculum for the hearing impaired, which is a continuing program that will be reimbursed 100 per cent by Federal funds.

\$1,699.00 for purchase of a personal computer for the Parent Resource Center, which program will be reimbursed 100 per cent by Federal funds.

\$125,000.00 for the Middle School Learning Center Pilot Program, which is a joint program funded by both City and Schools for fiscal year 2000-01.

A report of the Director of Finance recommending that Council concur in the request of the School Board, was also before the body.

Mr. White offered the following emergency budget ordinance:

(#35137-112000) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 General, School and School Capital Projects Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64, page 4.)

Mr. White moved the adoption of Ordinance No. 35137-112000. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch, Carder and Mayor Smith------7.

NAYS: None-----0.

SCHOOLS: Rita Bishop, Assistant Superintendent of Instructions, Roanoke City Schools, introduced Dr. Richard Shelly, Director of the Roanoke Valley Governor's School, and invited City officials to tour the facility. She advised that the Roanoke Valley Governor's School was established in 1985, focusing on mathematics, science and technology; and seven school districts participate in the Roanoke Valley Governor's School, i.e., the City of Roanoke, City of Salem and the Counties of Bedford, Botetourt, Craig and Franklin, with 234 students attending half-day sessions. She stated that a new curriculum is being developed that addresses information on human genes which will combine the information with computer technology.

Ms. Bishop highlighted the following student successes at the Governor's School since its establishment: four of the last five years in the National Young Inventors and Creators Competition; 80 per cent of student research projects submitted for presentation to the Virginia Junior Academy of Science; 14 students currently participate in the mentorship program; 100 per cent of students have passed the Standards of Learning, and a majority have passed the advanced proficient category; 97 per cent of the Governor's School graduates believe they are better prepared for college, and 87 per cent of graduates have the option of beginning college careers at an accelerated level; and students have qualified for and attended the International Science and Engineering Fair every year since 1987.

She also highlighted successes for 2000; i.e.: one national merit finalist and ten national merit commended students; 67 students were offered a total of \$1,666,200.00 in scholarship support; the average SAT score was 1314; 18 valedictorians and two salutatorians.

Ms. Bishop introduced Angela Marshall and Ann Henley Saunders, Patrick Henry High School seniors, and Kenya Motley, a William Fleming High School junior, to speak about a program called intercession.

Ms. Marshall advised that a core advantage to the Governor's School is its dedication to science fair projects; the school year is divided into three trimesters with a period of approximately 18 days, which is known as intercession that is solely dedicated to the design, construction, experimentation and production of each student's project; first year students are required to take Fundamentals Of Research (FOR) as an elective course that serves as a foundation for other electives, which is considered to be an extremely powerful course that provides the necessary tools for a student to thrive at any level of a science fair competition.

Ms. Saunders stated that it was a difficult transition at the beginning of her high school career, FOR helps to balance the principles of budgeting time wisely through time management which also helped in balancing her workload.

Ms. Motley pointed out the importance of FOR as a part of the Governor's School intercession. She advised that students do not have to take a core math or science class, both are incorporated in the electives; some of the electives may include biotechnology, bio-engineered food, environmental research jobber programming which allows students to create their own computer programs; project design engineering which allows students to create their own products and patent them; and her group is creating a smoke detector for the hearing impaired that could save lives.

The Mayor expressed appreciation for the presentations.

Without objection by Council, the Mayor advised that the briefing would be received and filed.

REPORTS OF OFFICERS:

CITY MANAGER:

BRIEFINGS:

BRIDGES-STREETS AND ALLEYS: The City Manager introduced Harold Fott, Hayes, Seay, Mattern and Mattern, for a briefing with regard to the First Street Pedestrian Bridge.

Mr. Fott advised that conversion of the First Street Bridge to a pedestrian bridge evolved from discussions concerning the revitalization of Henry Street in the early 1990's; bridge load rate is a four-ton load capacity, which makes it unique and a good choice for conversion to pedestrian traffic; and it is not only being linked with the Railside Linear Walkway, but also the Higher Education Center and the development of residential units in GOB south. He called upon Michael Brennan to review certain concept design issues that have been developed.

Mr. Brennan stated that the idea to convert the First Street Bridge to a pedestrian bridge was originally part of the workshops that were held in conjunction with the Railside Linear Walkway that led to reservation for a vertical circulation tower, stair and elevator. He further stated that events of the past few years, such as the Higher Education Center, conversion of the GOB South building to condominiums or apartments, and construction of the Greater Gainsboro Parking Garage, provide an important linkage of two vital areas; a new structure has been set within the existing structure of the Bridge so that the historic structure can be preserved and also maintain the signalization in association with the Norfolk Southern Railroad. He advised that the new structure spans between the two stone piers, and as the bridge descends at Henry Street or First Street, the grade has been changed to be gentler in order to accommodate handicapped accessible traffic; because of the differential in grade, there is an opportunity to bank some greenway along either side of the sidewalk that is basically ten feet wide, and the rythum of concrete and brick pavers that evokes the rythum of the railroad is also brought onto the bridge and across which articulates a pedestrianway; and a plaza has also been created at the north end of the Henry Street area which basically is a reflection of the plaza at the InSystems Building on the south side which makes a strong link between the two, and a common thread that goes across to the northern area. He further advised that the new structure basically will have a similar configuration that will echo the original construction; some vertical elements have been added to give a little flavor and sequence of events on the bridge to provide a sense of place like the linear walk; articulation of the vertical circulation tower at the railway picks up on the railroad-type of architecture emulated in development of the railside linear park; exposed steel is of an industrial look and blends with the architecture of the bridge; and landscaping along the embankment towards Henry Street or First Street softens the edge and blends into the pedestrian plaza at the side of the parking deck which is softened by a significant amount of landscaping in the plaza area.

Mr. Hudson inquired about handicap accessibility; whereupon, Mr. Brennan responded that the grade on the north side is within the requirements of maximum grades for handicapped accessibility, and an elevator will be located on the south side for accessibility to the linear railway.

Ms. Wyatt questioned whether or not the consultants had contacted the Roanoke Redevelopment Corporation, inasmuch as they have an interest in the project; whereupon, Mr. Brennan responded in the affirmative, and advised that the conceptual design came out of a series of workshops hosted by the City that were attended by Downtown Roanoke, Inc., the Redevelopment and Housing Authority, the Higher Education Center, and the Roanoke Neighborhood Development Corporation.

Mr. Carder stated that questions were raised during a Downtown Roanoke, Inc., Board meeting with regard to closing the bridge to traffic or a study to ensure that the bridge will accommodate vehicular traffic and pedestrians. He asked if the reason was that the first Outlook Roanoke Plan did not recommend changing the bridge, or the negative repercussions to the possible development of Henry Street in terms of retail, entertainment, restaurants, etc. Mr. Brennan advised that the consultants, City staff, and representatives of the Roanoke Neighborhood Development Corporation were involved in the workshops and believe that the plan does not impede the redevelopment opportunities for the Henry Street area.

Ms. Wyatt interjected that she was involved in the discussion as to whether there would be a pedestrian bridge or a vehicular bridge, and the issue did indeed come down to a large degree of money, which is available to do one or two things, i.e.: (1) a pedestrian bridge that blends in with the railroad theme and the linear park, and (2) an upscale pedestrian bridge that will blend the entire project together or construct a functional vehicular bridge that is not going to particularly blend in with anything; and the decision in the discussion was that the bridge would detract from all the projects. She advised that the parties having a mutual interest decided that the pedestrian bridge idea would promote the Linear Park which would incorporate the entire walk process beginning at The Virginia Transportation Museum to Henry Street to The Hotel Roanoke and down to the City Market.

Mayor Smith inquired as to the estimated cost of bridge modification; whereupon, the City Engineer advised that the cost was \$800,000.00, and advised that the plan is a long way from reality; City staff plans to share the proposed design with Gainsboro neighborhood residents, as well as the Architectural Review Board and the City Planning Commission. He further advised that the First Street Bridge does not serve a purpose for vehicular circulation, which is now accomplished by the new Second Street Bridge; the bridge itself is in poor condition and would be expensive to renovate in order to continue carrying vehicular traffic.

The City Engineer explained that from a traffic safety standpoint, the bridge has problems in terms of the grades that are very steep on the south side, the bridge is narrow; and input received from the Gainsboro neighborhood and the Roanoke Neighborhood Development Corporation is that they would like for Henry Street or First Street to have a pedestrian character that could support street festivals and the nature of the proposed development for the area; and conversion of the First Street Bridge to a pedestrian bridge would support that concept.

Mr. Bestpitch inquired as to the cost to the City to completely replace the First Street Bridge in order to accommodate both vehicular and pedestrian traffic; whereupon, the City Engineer advised the cost could be approximately three or four times the \$800,000.00 figure.

There being no further discussion and without objection by Council, the Mayor advised that the briefing would be received and filed.

Hearing no objections, the briefing was received and filed.

ITEMS RECOMMENDED FOR ACTION:

BUDGET-CITY EMPLOYEES-BLUE CROSS/BLUE SHIELD: The City Manager submitted a communication advising that the present Health Insurance Contract with Trigon Blue Cross Blue Shield expires on December 31, 2000; premiums for health insurance coverage did not change during 1998 and 1999, but increased ten per cent for calendar year 2000; the City is faced with significant increases in health insurance costs; there are basically two ways to manage such increases, i.e.: change benefit design and/or increase funding; benefit design can be changed to somewhat lower the rate increase; City funding of the benefit can be increased and lower the rate impact to employees; wisdom in establishing the stabilization fund offers the City a method to increase its participation by utilizing the fund to stabilize rates; withdrawals totaling \$1,700,000.00 during calendar year 2001 would result in rate increases of approximately 20 per cent to employees; withdrawals over the next two years would be used to subsidize rates; and based upon current enrollment, the contract cost is \$8,993,006.00 for calendar year 2001.

The City Manager recommended that Council authorize award of a contract for health insurance to Trigon Blue Cross Blue Shield for a period of one year, beginning January 1, 2001 and ending December 31, 2001, with an option to renew for two additional one-year terms, contingent upon rate adjustments and availability of funds.

TOTAL PREMIUM

	CURRENT COMP. RATE	2001 COMP. RATE	CURRENT P.O.S. RATE	2001 <u>P.O.S. RATE</u>
Employee	\$194.98	\$286.20	\$160.90	\$265.04
Emp/Child	280.98	412.13	231.88	381.66
Family	456.82	669.71	377.06	620.18
	EMPLOYEE C	OST		
	CURRENT	2001	CURRENT	2001
	COMP. RATE	COMP. RATE	P.O.S. RATE	P.O.S. RATE
Employee	\$ 19.98	\$ 30.65	\$ 7.90	\$ 9.48
Emp/Child	105.98	127.18	78.88	94.66
Family	281.82	338.18	224.06	268.87

Mr. Harris offered the following emergency budget ordinance:

(#35138-112000) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 General Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64, Page 7.)

Mr. Harris moved the adoption of Ordinance No. 35138-112000. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch, Carder and Mayor Smith------7.

NAYS: None-----0.

Mr. Harris offered the following resolution:

(#35139-112000) A RESOLUTION authorizing the execution of a contract and related documents with Trigon Blue Cross Blue Shield to provide for a Comprehensive Health Plan and a Point of Service Health Plan for subscribers and retirees of the City and members of their families, for one year beginning January 1, 2001, with an option to renew clause for two additional one-year terms contingent upon rate adjustments and availability of funds.

(For full text of Resolution, see Resolution Book No. 64, Page 11.)

Mr. Harris moved the adoption of Resolution No. 35139-112000. The motion was seconded by Mr. Carder.

Mr. Hudson expressed concern with regard to the amount of the rate increase and the affect on City employees and inquired if City staff has met with the employees to explain the increase in cost; whereupon, the City Manager advised that a communication was mailed to the residence of each City employee after the report was placed on the City Council's written agenda. She further advised that it would have been premature to notify the employees prior to informing Council of the proposed increase; and a copy of the communication was provided to each department manager within the organization to share with their employees in advance of Council's action. She stated that in November 1999, prior to her arrival, City employees received a communication indicating a significant premium increase effective January 1, 2001; there are opportunities within the proposal for City employees to reduce their cost if they choose a less costly plan; and there are higher premiums for the comprehensive plan, however, employees can mitigate their cost by taking advantage of a pretax payment on the expense.

The City Manager explained that the City plans to raise the pretax cap to the Federal limit for reimbursement on medical expenses, effective January 1, 2001, so that those employees who have out-of-pocket expenses that are higher than the cap will be able to be reimbursed on a pretax basis for medical reimbursements.

There was discussion with regard to retirees health care benefits and disparities and the pre-admission penalty under the Point of Service Plan.

Mr. White requested that funding for retiree health insurance benefits be referred to 2001-02 budget study for discussion by Council.

Ms. Wyatt requested a report with regard to stress-related illnesses and treatment of City employees, compared with the same type of illnesses and treatment one year ago.

Mr. Hudson requested a report on the types of coverage to be included under the third tier of services provided by Trigon Blue Cross Blue Shield.

There being no further discussion, Ordinance No. 35139-112000 was adopted by the following vote:

	AYES:	Council	Members	Harris,	Hudson,	White,	Wyatt,	Bestpitch,	Carder
and M	layor Sm	nith							7.
	NAVC	Nono							

EASEMENTS-PIPELINES-STATE HIGHWAYS-STREETS AND ALLEYS-TRAFFIC: The City Manager submitted a communication advising that at the November 6, 2000 meeting of Council, several persons addressed Council with regard to the location of the proposed Virginia Gas Pipeline Project, and Council subsequently requested that a letter be forwarded to the State Corporation Commission asking that a public hearing on the matter be held in the Roanoke area; whereupon, the City Manager transmitted a measure encouraging Virginia Gas Pipeline Company (VGPC) to hold such a public hearing, and to seek the cooperation of other utility companies by co-locating the proposed pipeline within existing utility easements where appropriate.

It was further advised that as previously suggested by Council, representatives from VGPC met with Roanoke residents at a meeting of the Garden City Civic League on October 5, 2000, to discuss the proposed gas transmission line planned for that area; VGPC shared preliminary plans for an eight-inch natural gas transmission pipeline with the 20 persons in attendance; the pipeline that extends into the portion of the City is approximately 3.5 miles in length from the City limits to Riverland Road, S. E., extending off of the 123 mile pipeline extension that begins in Saltville, Virginia, and continuing through the New River Valley into Roanoke and Franklin Counties; extension into the City of Roanoke would cross several public rights-of-way and parcels of City-owned property, covering half of the pipeline's distance in the City; and the remaining half could affect approximately 50 parcels of private property in the City of Roanoke.

The City Manager recommended that Council adopt the above referenced resolution for transmittal to Virginia Gas Pipeline Company, the State Corporation Commission, and others.

Mr. Bestpitch offered the following resolution:

(#35140-112000) A RESOLUTION encouraging Virginia Gas Pipeline Company (VGPC) to hold a public hearing on the proposed route of the gas pipeline that it anticipates building in the City of Roanoke and surrounding area; to have VGPC seek the cooperation of other utilities and co-locate the proposed gas pipeline within existing gas or other utility easements where appropriate; and to further address any environmental or safety concerns of the citizens or residents of the area where the proposed gas pipeline will be located.

(For full text of Resolution, see Resolution Book No. 64, Page 12.)

Mr. Bestpitch moved the adoption of Resolution No. 35140-112000. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch, Carder and Mayor Smith------7.

NAYS: None------0.

POLICE DEPARTMENT-DONATIONS/CONTRIBUTIONS-NEIGHBORHOOD ORGANIZATIONS-WRABA: The City Manager submitted a communication advising that on July 17, 2000, Council adopted a resolution accepting and expressing appreciation for a monetary pledge of \$9,000.00 from the Williamson Road Area Business Association, pursuant to Resolution No. 34947-071700; funds were designated for expenses associated with establishment of a Community Oriented Police facility at 1502 Williamson Road, N. W., in the Civic Mall; the resolution also authorized the City to enter into a lease contract with Blue Eagle partnership for office space at said location; when the gift was authorized by the Williamson Road Area Business Association's Board of Directors, \$9,000.00 was the maximum amount their budget would accommodate; however, it is now the desire of the Williamson Road Area Business Association to donate an additional \$4,500.00 for expenses associated with establishing the Community Oriented Police facility.

It was further advised that on October 9, 2000, the Community Oriented Police facility began operations at its new quarters in Civic Mall; expense estimates relative to establishing the facility have exceeded the amount of the initial \$9,000.00 gift, and accordingly, the proposed \$4,500.00 donation will be used to fund additional expenses, i.e.: construction/remodeling and purchase of office furniture; and the initial \$9,000.00 gift has not been appropriated by Council and remains unspent.

The City Manager recommended that Council accept the additional gift of \$4,500.00 from the Williamson Road Area Business Association, and appropriate \$13,500.00 (the initial \$9,000.00 gift, plus the additional \$4,500.00 gift) to accounts to be established by the Director of Finance in the following amounts:

Expendable Equipment <\$5,000.00	\$ 2,343.00
Project Supplies	<u> 11,157.00</u>
	\$13,500.00

It was further recommended that Council establish a revenue estimate in an account to be established by the Director of Finance in the Grant Fund.

Mr. Hudson offered the following emergency budget ordinance:

(#35141-112000) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 Grant Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64, Page 14.)

Mr. Hudson moved the adoption of Ordinance No. 35141-112000. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch, Carder and Mayor Smith------7.

NAYS: None------0

Mr. Harris offered the following resolution:

(#35142-112000) A RESOLUTION accepting and expressing appreciation for the monetary pledge from the Williamson Road Area Business Association.

(For full text of Resolution, see Resolution Book No. 64, Page 15.)

Mr. Harris moved the adoption of Resolution No. 35142-112000. The motion was seconded by Mr. Carder and adopted by the following vote:

	AYES:	Council	Members	Harris,	Hudson,	White,	Wyatt,	Bestpitch,	Carder
and M	ayor Sm	ith					********		7.
	NAVQ	Nono							

POLICE DEPARTMENT-BUDGET-GRANTS-EQUIPMENT: The City Manager submitted a communication advising that the Virginia Department of Motor Vehicles (DMV) is the administering agency for pass through funds provided by the United States Department of Transportation for highway safety projects in Virginia; the DMV offers funds, in the form of grants, to successful applicants for activities which improve highway safety in Virginia; and on September 29, 2000, the DMV awarded the Roanoke City Police Department with \$20,000.00 to purchase automated motor vehicle accident scene measuring equipment, which will allow for more efficient investigations at scenes of motor vehicle accidents, improve prosecutions through more precise accident scene documentation, and allow investigators to minimize the duration of roadway obstructions at motor vehicle accident scenes.

It was further advised that between 1995 and 1999, there were 1,248 personal injury motor vehicle accidents in the City of Roanoke resulting in 1,601 personal injuries and 23 fatal motor vehicle accidents involving 29 victims; there is a need to conduct improved motor vehicle accident reconstruction and documentation related to accidents involving fatalities or serious personal injuries and to minimize the associated roadway disruptions and safety hazards.

The City Manager recommended that Council accept the grant from the Division of Motor Vehicles and appropriate \$20,000.00 to Grant Fund accounts to be established by the Director of Finance in the following amounts:

Training and Development	\$ 2,300.00
Expendable Equipment (<\$5,000.00)	3,265.00
Other Equipment	14,435.00
	<u>\$20,000.00</u>

It was further recommended that Council and establish a revenue estimate in an account to be established by the Director of Finance.

Mr. Hudson offered the following emergency budget ordinance:

(#35143-112000) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 Grant Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64, Page 16.)

Mr. Hudson moved the adoption of Ordinance No. 35143-112000. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch, Carder and Mayor Smith------7.

POLICE DEPARTMENT-TRAFFIC-BUDGET-ELECTIONS-PARKS AND RECREATION-FIRE DEPARTMENT-ARMORY/STADIUM-PUBLIC WORKS-ROANOKE CIVIC CENTER-CIRCUIT COURT-CMERP-UTILITY LINE SERVICES-MANAGEMENT AND BUDGET-LIBRARIES-JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT-EQUIPMENT: The City Manager submitted a communication advising that on October 2, 2000, Council concurred in funding recommendations for the fiscal year 2000-01 Capital Maintenance and Equipment Replacement Program (CMERP); CMERP is used to fund equipment purchases, maintenance, and other one-time priority purchases; approval by Council is required to appropriate funds from CMERP Enterprise Fund and Internal Service Fund Retained Earnings to various departmental operating accounts to allow for acquisition of certain items and projects as set forth in Attachment A to the report; and all acquisitions will be accomplished in accordance with the City's Procurement Policies, as contained in Chapter 23.1,Code of the City of Roanoke (1979), as amended.

The City Manager recommended that Council adopt a budget ordinance to appropriate a total of \$1,326,710.00 to various departmental accounts.

Mr. Harris offered the following emergency budget ordinance:

(#35144-112000) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 General, Water, Civic Center, Capital Projects, and Management Services Funds Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64, Page 17.)

Mr. Harris moved the adoption of Ordinance No. 35144-112000. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Mem and Mayor Smith	•	lson, White, Wyatt, Bo 	• '
NAYS: None			0.
REPORTS OF COMM	ITTEES:		

COUNCIL-LEGISLATION-SCHOOLS: Council Member William White, Sr., Chair, Legislative Committee, presented a written report on behalf of the Committee, advising that on November 6, 2000, Council's Legislative Committee met to review the proposed 2001 Legislative Program; the School Board's portion of the Program was approved on November 13, 2000; whereupon, the Legislative Committee recommended favorable action by Council.

Mr. White offered the following resolution:

(#35145-112000) A RESOLUTION adopting and endorsing a Legislative Program for the City to be presented to the City's delegation to the 2001 Session of the General Assembly.

(For full text of Resolution, see Resolution Book No. 64, Page 22.)

Mr. White moved the adoption of Resolution No. 35145-112000. The motion was seconded by Ms. Wyatt.

Mr. Martin D. Jeffrey, 517 Rutherford Avenue, N. W., addressed City Council with regard to changes to the Charter. He inquired as to the appropriateness of forwarding the revision to the City's delegation to the General Assembly prior to holding a public hearing on proposed Charter revisions. Mayor Smith advised that a public hearing will be held at the 7:00 p.m. session of Council this evening.

There being no further discussion, Resolution No. 35145-112000 was adopted by the following vote:

	AYES:	Council	Members	Harris,	Hudson,	White,	Wyatt,	Bestpitch,	Carde
and N	layor Sm	ith		*********				, ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	7
	NAYS	None							

SEWERS AND STORM DRAINS-SIDEWALK/CURB AND GUTTER-BUDGET-STREETS AND ALLEYS: Council Member W. Alvin Hudson, Jr., Chair, Bid Committee, presented a written report on behalf of the Committee, in connection with bids received by the City for Summit Hills Storm Drain Project - Phase I.

The Bid Committee recommended that Council accept the alternate bid of J. P. Turner and Brothers, Inc., in the amount of \$174,686.50, with a project contingency of \$26,203.00 and 180 days of contract time; reject all other bids received by the City; and authorize the Director of Finance to transfer the following amounts to a project account entitled, "Summit Hills Storm Drain Project - Phase I".

Public Improvement Bonds Series 1996 Account No. 008-052-9701-9191 (Streets)	\$ 51,448.00
Public Improvement Bonds Series 1999	
Account No. 008-052-9709-9191 (Streets)	11,447.00
Public Improvement Bonds Series 1996	
Account No. 008-052-9701-9176 (Storm Drains)	<u> 137,995.00</u>
Total	<u>\$200,890.00</u>

The City Manager submitted a communication concurring in the recommendation of the Bid Committee.

Mr. Hudson offered the following emergency budget ordinance:

(#35146-112000) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 Capital Projects Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64, Page 23.)

Mr. Hudson moved the adoption of Ordinance No. 35146-112000. The motion was seconded by Mr. Harris and adopted by the following vote:

	AYES: Coun	cil Members	Harris,	Hudson,	White,	Wyatt,	Bestpitch,	Carder
and M	layor Smith	ر به ه در دخ چ د تر به خ تر _ه و خ به ۵						7.
	NAYS: None-					*******		

Mr. Hudson offered the following emergency ordinance:

(#35147-112000) AN ORDINANCE accepting the bid of J. P. Turner and Brothers, Inc., for installing approximately 900 feet of H.D.P.E. storm drain pipe and concrete curb along Summit Drive, upon certain terms and conditions and awarding a contract therefor; authorizing the proper City officials to execute the requisite contract for such work; rejecting all other bids made to the City for the work; and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64, Page 24.)

Mr. Hudson moved the adoption of Ordinance No. 35147-112000. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch, Carder and Mayor Smith------7.

UNFINISHED BUSINESS: NONE.

INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS:

POLICE DEPARTMENT-CITY CODE-CITY SHERIFF: Ordinance No. 35115, with regard to employment of off-duty police officers and Sheriff's deputies, having previously been before the Council for its first reading on Monday, November 6, 2000, read and adopted on its first reading and laid over, was again before the body, Mr. Harris offering the following for its second reading and final adoption:

(#35115-112000) AN ORDINANCE amending the Code of the City of Roanoke (1979), as amended, by adding a new §23-7, Employment of Off-Duty Police Officers and Sheriff's Deputies, Article I, In General, of Chapter 23, Police, to confirm the existence of the law enforcement powers and authorities of police officers and deputy sheriffs during periods of off-duty employment; and providing for an effective date.

(For full text of Ordinance, see Ordinance Book No. 64, Page 1.)

Mr. Harris moved the adoption of Ordinance No. 35115-112000. The motion was seconded by Mr. Carder.

Mr. Martin D. Jeffrey, 517 Rutherford Avenue, N. W., reiterated his concern expressed at the November 6, 2000 Council meeting that serious implications could occur from expanding the policing authority of off-duty City police officers. He stated that the matter warrants a broader discussion by Council.

Ordinance No. 35115-112000 was adopted by the following vote:

	AYES:	Council	Members	Harris,	Hudson,	White,	Wyatt,	Bestpitch,	Carde
and M	ayor Sm	nith							7
	NAYS.	None							<u>-</u>

COUNCIL: Mr. Harris offered the following resolution changing certain times and places of commencement for regular meetings of City Council scheduled to be held on Monday, December 4, 2000, and Monday, December 18, 2000, as follows:

DATE OF MEETING	TIME	PLACE OF MEETING
December 4, 2000	12:15 p.m.	Emergency Operations Center 1 st Floor, Municipal Building 215 Church Avenue, S.W.
	3:00 p.m.	Governor's School Lecture Hall Patrick Henry High School 2102 Grandin Road, S.W.
December 18, 2000	12:15 p.m.	Emergency Operations Center 1 st Floor, Municipal Building 215 Church Avenue, S.W.
	3:00 p.m.	Governor's School Lecture Hall Patrick Henry High School 2102 Grandin Road, S.W.
	7:00 p.m.	Governor's School Lecture Hall Patrick Henry High School 2102 Grandin Road, S.W.

(#35148-112000) A RESOLUTION changing certain times and places of commencement for regular meetings of City Council scheduled to be held on Monday, December 4, 2000, and Monday, December 18, 2000.

(For full text of Resolution, see Resolution Book No. 64, Page 26.)

Mr. Harris moved the adoption of Resolution No. 35148-112000. The motion was seconded by Mr. Carder.

Mr. Hudson inquired about the status of renovations to the City Council Chamber; whereupon, the City Manager advised that the contractor is aware of the City's concerns over the amount of time involved in completion of the project, as well as the inconvenience to the fourth floor occupants.

Resolution No. 35148-112000 was adopted by the following vote:

AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch, Carder and Mayor Smith-----7.

NAYS: None-----0.

MOTIONS AND MISCELLANEOUS BUSINESS:

INQUIRIES AND/OR COMMENTS BY THE MAYOR AND MEMBERS OF COUNCIL:

CELEBRATIONS-CITY EMPLOYEES: Mr. Harris offered the following resolution:

(#35149-112000) A RESOLUTION closing certain City offices on Tuesday, December 26, 2000, and providing for additional holiday leave for all City employees.

(For full text of Resolution, see Resolution Book No. 64, Page 27.)

Mr. Harris moved the adoption of Resolution No. 35149-112000. The motion was seconded by Mr. Hudson.

Ms. Wyatt expressed concern with regard to time off for public safety employees; and moved that the resolution be amended by deleting the following sentence: "Adherence to this resolution shall cause no disruption or cessation of the performance of any emergency, essential or necessary public service rendered or performed by the City."

The motion was seconded by Mr. Hudson.

The City Manager advised that the proposed amendment would cause this particular holiday to be treated differently than any other holidays currently provided for in the City Code. She requested that the City administration be allowed to submit a report to Council with regard to City holiday leave, annual leave, sick leave, etc. She further requested that the current practice for holiday leave be recongnized in this specific instance.

Resolution No. 35149-112000, as amended, was lost by the following vote:
AYES: Council Members Hudson and Wyatt2.
NAYS: Council Members Harris, White, Bestpitch, Carder and Mayor Smith5.
Resolution No. 35149-112000 was adopted by the following vote:
AYES: Council Members Harris, White, Bestpitch, Carder and Mayor Smith5.
NAYS: Council Members Hudson and Wyatt2.
COUNCIL: Council Member Bestpitch moved that Council convene in a Closed Meeting to discuss the performance of a Council-Appointed Officer, pursuant to Section 2.1-344 (A)(1), Code of Virginia (1950), as amended. The motion was seconded by Mr. Carder and adopted by the following vote:
AYES: Council Members Hudson, Wyatt, Bestpitch, Carder and Mayor Smith5.
NAYS: Council Members Harris and White2.
OTHER HEARING OF CITIZENS UPON PUBLIC MATTERS: NONE.
At 5:40 p.m., the Mayor declared the meeting in recess for a Closed Meeting.

At 6:35 p.m., the Council meeting reconvened in the Governor's School Lecture Hall, Patrick Henry High School, 2102 Grandin Road, S. W., City of Roanoke, with all Members of the Council present, with the exception of Council Members Hudson, White and Carder, Mayor Smith presiding.

COUNCIL: With respect to the Closed Meeting just concluded, Mr. Harris moved that each Member of City Council certify to the best of his or her knowledge that: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act; and (2) only such public business matters as were identified in any motion by which any Closed Meeting was convened were heard, discussed or considered by City Council. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members Harris, Wyatt, Bestpitch and Mayor Smith	-4.
NAYS: None	- 0.

(Council Members Hudson, White and Carder were absent.)

The Mayor declared the meeting in recess at 6:37 p.m., to be reconvened at 7:00 p.m., in the Governor's School Lecture Hall, Patrick Henry High School, 2102 Grandin Road, S. W., City of Roanoke.

On Monday, November 20, 2000, at 7:00 p.m., the Roanoke City Council reconvened in regular session in the Governor's School Lecture Hall, Patrick Henry High School, 2102 Grandin Road, S. W., City of Roanoke, with the following Council Members in attendance, Mayor Smith presiding.

PRESENT: Council Members C. Nelson Harris, W. Alvin Hudson, Jr., William White, Sr., Linda F. Wyatt, William D. Bestpitch, William H. Carder and Mayor Ralph K. Smith------7.

ABSENT: None	0
--------------	---

OFFICERS PRESENT: Darlene L. Burcham, City Manager; James D. Ritchie, Sr., Assistant City Manager; William M. Hackworth, City Attorney; James D. Grisso, Director of Finance; and Mary F. Parker, City Clerk.

The reconvened meeting was opened with a prayer by Council Member C. Nelson Harris.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Smith.

PRESENTATIONS:

ACTS OF ACKNOWLEDGEMENT-CITIZEN OF THE YEAR: The Mayor advised that the City of Roanoke is blessed with many citizens who give of their time and talents to make Roanoke an All-America City; and it is always a difficult task for the Members of Council to select the Citizen of Year because there are so many deserving persons in the "Star City".

Mayor Smith announced that the 2000 Citizen of the Year is Mr. Lawrence Hamlar, a native of Roanoke, who graduated from Lucy Addison High School and received his undergraduate degree from Virginia State College; and he attended the Gupton-Jones College of Mortuary Science before co-founding in 1952, the Hamlar-Curtis Funeral Home. The Mayor further advised that Mr. Hamlar has demonstrated a heart for higher education and for the advancement of minorities in the Roanoke Valley; he is a member of First Baptist Church and a life member of the National Association for the Advancement of Colored People; and he established the Constance J. Hamlar Memorial Scholarship, in memory of his late wife, for minority students at Virginia Western Community College and Roanoke College. He stated that Mr. Hamlar has served on the Boards of Virginia Western Community College, First Federal Savings and Loan Association, Roanoke Science Museum, Virginia Council of Small Business Administration and Roanoke City Schools; he has served as a Trustee of Roanoke College since 1986 and last year received an Honorary Doctorate from that institution; he served as Vice-President of the Economic Development and Community Relations Committee of Total Action Against Poverty; he helped to organize Valley Bank; he served as Chair of the Board of the Virginia Recreational Facilities Authority: in 1988, he received the Brotherhood/Sisterhood Award from the Roanoke Valley Chapter of the National Conference of Christians and Jews; in 1993, he received the Noel C. Taylor Distinguished Humanitarian Award from TAP; in 1998, he was inducted into the Junior Achievement's Business Hall of Fame; and in 1999, he was inducted into Virginia State University's Football Hall of Fame.

Mr. Harris offered the following resolution:

(#35136-112000) A RESOLUTION naming Lawrence Harrison Hamlar Citizen of the Year 2000 for the City of Roanoke.

(For full text of Resolution, see Resolution Book No. 64, Page 2.)

Mr. Harris moved the adoption of Resolution No. 35136-112000. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch, Carder and Mayor Smith------7.

NAYS: None-----0.

The Mayor announced that Mr. Hamlar's name will join the ranks of 18 outstanding citizens who have been honored as Citizen of the Year beginning in 1981 for the significant contributions they have made to the total life of the Roanoke community by demonstrating a personal concern for the City's well-being and cultural enrichment.

On behalf of the citizens of the City of Roanoke and the Members of the Roanoke City Council, the Mayor unveiled the Citizen of the Year Plaque, which displays the photograph of Mr. Hamlar as Roanoke's 2000 Citizen of the Year; and presented him with a personalized plaque, a ceremonial copy of Resolution No. 35136-112000, and the Key to the City, which is the highest gift bestowed upon an individual by the City of Roanoke.

ZONING: Council at its regular meeting on Monday, October 16, 2000, having continued a public hearing on the request of Madison Health Care Center that approximately 10.384 acres of land located at 4415 Pheasant Ridge Road, S. W., identified as Official Tax No. 5460101, be rezoned from C-1, Office District, to LM, Light Manufacturing District, subject to certain conditions proffered by the petitioner, until the regular meeting of Council on Monday, November 20, 2000, at 7:00 p.m., the matter was before the body.

Legal advertisement of the public hearing was published in <u>The Roanoke Times</u> on Friday, September 29, 2000, and Friday, October 6, 2000.

A report of the City Planning Commission advising that the subject property, containing 10.384 acres, was part of a larger conditional rezoning for the Pheasant Ridge development project located off U. S. Route 220, which initially involved rezoning and development of 49.23 acres; the purpose of the proposed rezoning is to permit construction of a 70,000 square-foot mini warehouse facility, consisting of five buildings; and the petitioner has indicated that development at Pheasant Ridge has created a demand for the mini warehouses, was before Council.

The City Planning Commission advised that the Planning Commission's motion to approve the request for rezoning failed by a vote of three - four and pursuant to By-Laws of the Planning Commission, a motion fails if a majority of Commission Members present do not vote in favor of the motion; therefore, the City Planning Commission is unable to make a favorable recommendation to Council on the rezoning request.

Mr. Carder moved that the following ordinance be placed upon its first reading:

"AN ORDINANCE to amend §36.1-3, Code of the City of Roanoke (1979), as amended, and Sheet No. 546, Sectional 1976 Zone Map, City of Roanoke, to rezone certain property within the City, subject to certain conditions proffered by the applicant."

The motion was seconded by Mr. Hudson.

Mr. White pointed out that the request for rezoning failed to gain the Planning Commission's approval and inquired if a staff representative was prepared to brief Council on the matter; whereupon, Evelyn S. Lander, Director of Planning, Building and Development, advised that the request of Madison Health Care Center is to rezone and change the proffered conditions of an existing piece of property located off of U. S. 220 and Old Rocky Mount Road that was rezoned in 1996 under certain conditions to be developed for a nursing home, condominiums, single family dwellings, two-family dwellings, townhouses, and a medical clinic; and several other conditions were associated with the rezoning dealing with the treatment of wooded areas, the exterior condition of the buildings, materials, and recreational amenities on the property.

Ms. Lander further advised that this particular request was filed by Jones and Jones Associates on behalf of the petitioner to develop the property, or at least 10.384 acres, for mini-warehouses; and the petitioner has requested that the original zoning conditions be changed to allow development of mini-warehouses consisting of 70,000 square feet and five linear buildings on the property. She stated that City staff recommended denial of the request to the Planning Commission because the topography of the area is steep and is naturally wooded; the previous rezoning had proposed townhouses in that particular area; and staff was concerned about how the mini-warehouses were being cut into the hillside, and the effect they would have on the surrounding residential area. She further stated that the Planning Commission held a public hearing in September 2000 on the proposed rezoning, and the petitioner appeared in support of the petition; and referred to a communication from Don and Melissa Ferguson on VanWinkle Road in opposition to the request.

Mr. Bestpitch requested that the record reflect that the individuals on VanWinkle Road are Fitzgeralds and not Fergusons.

The Mayor expressed concern that no representative of Madison Health Care Center was present to address questions, and inquired if proper notice was given; whereupon, the City Clerk advised that Mr. Jones was notified of the public hearing by letter dated October 19, 2000; and that Council would hold a continuation of the public hearing at its November 20 meeting.

The Mayor inquired if there were persons present who would like to address Council with regard to the request for rezoning; whereupon, Mr. Don Fitzgerald, 4602 VanWinkle Road, S. W., expressed opposition to the proposed rezoning and presented a petition signed by residents of the neighborhood also in opposition.

No other persons wishing to be heard, and there being no discussion/questions by Council, the ordinance was lost by the following vote:

AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch and Vice-Mayor Carder------6.

NAYS: Mayor Smith------1.

REZONING-COMMUNITY PLANNING: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, November 20, 2000, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of Adam J. Cohen to amend Section 36.1-25, Definitions, to include a definition for a single-family attached dwelling; Section 36.1-127, Special Exception Uses in the RM-2, Residential Multi-family, Medium Density District, and Section 36.1-186, Special Exception Uses in the C-1, Office District, Chapter 36.1, Zoning, Code of the City of Roanoke (1979), as amended, to permit single-family attached dwellings by special exception, the matter was before the body.

Legal advertisement of the public hearing was published in <u>The Roanoke Times</u> on Friday, November 3, 2000, and Friday, November 10, 2000.

A report of the City Planning Commission advising that the petition is a revision of a previous request from Mr. Cohen to amend the City's zoning code to create a new definition for two-unit townhouse dwellings; the City Planning Commission considered the original petition on May 17, 2000, and a motion recommending the petition failed by a one - three vote; and rather than proceed to Council with an unfavorable recommendation, Mr. Cohen chose to amend his

petition, and the revised petition requests an amendment to the City's zoning code to create a new definition for *single-family attached* dwellings, with such dwellings permitted by special exception in the RM-2, Residential Multifamily, Medium Density District, and the C-1 Office District, was before Council.

The City Planning Commission recommended that Council authorize no change to the existing zoning code, and advised that existing code provisions support housing recommendations as set forth in the City's Comprehensive Plan.

Adam J. Cohen, petitioner, advised that he was unable to attend the City Planning Commission meeting when the final vote was taken with regard to the amendment; the petition was amended at a previous meeting of the City Planning Commission; whereupon, he requested that the Zoning Ordinance be amended to include special exception uses, i.e., a townhouse or a duplex.

The Mayor inquired if there were persons present who would like to address Council with regard to the request; whereupon, no person requested to be heard.

Ms. Wyatt moved that the matter be referred to the appropriate subcommittee of the 2001 Comprehensive Plan Advisory Committee for review as a part of the City's overall Comprehensive Plan. The motion seconded by Mr. Carder and unanimously adopted.

STREETS AND ALLEYS: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, November 20, 2000, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of Edgewood Christian Church that an undeveloped alleyway lying between parcels of land identified as Official Tax Nos. 6090404 and 6090705, and extending north of Willis Street for an approximate distance of 70 feet and a width of approximately ten feet, be permanently vacated, discontinued and closed, the matter was before the body.

Legal advertisement of the public hearing was published in <u>The Roanoke Times</u> on Friday, November 3, 2000, and Friday, November 10, 2000.

A report of the City Planning Commission advising that the petitioner wishes to vacate and close the proposed alley to allow for possible expansion of its existing church building on Official Tax No. 6090404; and the applicant owns all of the lots abutting the above-described alley, Official Tax Nos. 6090404, 6090705, and 6090704, was before Council.

The City Planning Commission recommended that Council approve the request.

Mr. Harris moved that the following ordinance be placed upon its first reading:

(#35150) AN ORDINANCE permanently vacating, discontinuing and closing certain public right-of-way in the City of Roanoke, Virginia, as more particularly described hereinafter.

(For full text of Ordinance, see Ordinance Book No. 63, Page 28.)

The motion was seconded by Mr. Carder.

The Mayor inquired if there were persons present who would like to address Council with regard to the matter. There being none, Ordinance No. 35150 was adopted, on its first reading, by the following vote:

AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch, Carder and Mayor Smith------7.

NAYS: None-----0.

ZONING: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, November 20, 2000, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of C. E. and H. M. Corporation that a certain tract of land located on the south side of Elm Avenue, S. E., at its intersection with I-581, identified as Official Tax No. 4020317, be rezoned from LM, Light Manufacturing District, to C-2, General Commercial District, the matter was before the body.

Legal advertisement of the public hearing was published in <u>The Roanoke Times</u> on Friday, November 3, 2000, and Friday, November 10, 2000.

A report of the City Planning Commission advising that the purpose of the request for rezoning is to provide zoning conformity for the existing two commercial buildings located on the property at Elm Avenue near its intersection with I-581, Webber Expressway, was before Council.

The City Planning Commission recommended that Council approve the request for rezoning, and advised that the subject property is located among other general commercial uses, contains existing commercial buildings and uses, and is not considered a prime industrial site.

Mr. Harris moved that the following ordinance be placed upon its first reading:

(#35151) AN ORDINANCE to amend §36.1-3, Code of the City of Roanoke (1979), as amended, and Sheet No. 402, Sectional 1976 Zone Map, City of Roanoke, to rezone certain property within the City.

(For full text of Ordinance, see Ordinance Book No. 63, Page 31.)

The motion was seconded by Mr. Carder.

The Mayor inquired if there were persons in attendance who would like to speak to the matter. There being none, and no discussion/questions by Council, Ordinance No. 35151 was adopted, on its first reading, by the following vote:

AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch, Carder and Mayor Smith------7.

ZONING: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, November 20, 2000, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of Boone, Boone and Loeb, Inc., to amend proffered conditions to rezoning relating to a 23.571-acre portion of Official Tax No. 1290107, and to substitute new proffered conditions upon that certain tract of land containing 23.571-acres, more or less, of those six tracts of land containing 60.53 acres, located between I-581 and Franklin Road, S. W., and being a portion of property identified as Official Tax No. 1290107, the matter was before the body.

Legal advertisement of the public hearing was published in <u>The Roanoke</u> <u>Times</u> on Friday, November 3, 2000, and Friday, November 10, 2000.

A report of the City Planning Commission recommending that Council approve the request to amend proffered conditions as set forth in the Second Amended Petition for the 23.571 acre portion of Official Tax No. 1290107, was before the body.

Mr. Harris moved that the following ordinance be placed upon its first reading:

(#35152) AN ORDINANCE to amend §§36.1-3 and 36.1-4, Code of the City of Roanoke (1979), as amended, and Sheet No. 129, Sectional 1976 Zone Map, City of Roanoke, in order to amend certain conditions presently binding upon certain property previously conditionally zoned C-1, Office District.

(For full text of Ordinance, see Ordinance Book No. 63, Page 32.)

The motion was seconded by Mr. Carder.

The Mayor inquired if there were persons in attendance who would like to speak to the matter. There being none, and no discussion/questions by Council; Ordinance No. 35152 was adopted, on its first reading, by the following vote:

AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch, Carder and Mayor Smith------7.

NAYS: None-----0.

AIRPORT-TAXES: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, November 20, 2000, at 7:00 p.m., or as soon thereafter as the matter may be heard, to consider reducing the personal property tax rate on aircraft from \$3.45 to \$1.06 per \$100.00 of assessed value, the matter was before the body.

Legal advertisement of the public hearing was published in <u>The Roanoke Times</u> on Thursday, November 9, 2000.

A joint report of the City Manager and the Director of Finance advising that the Roanoke Regional Airport Commission and administration has expressed concern that they are losing potential business due to the City of Roanoke's personal property tax rate on airplanes being higher than comparable localities; currently the City of Roanoke taxes airplanes at \$3.45 per \$100.00 of assessed value; and the tax rate is applied to 60 per cent of the assessed value the first year, reduced by ten per cent per year until it reaches 20 per cent, where it remains on an annual basis, was before the body.

It was further advised that having airplanes based at the Roanoke Regional Airport creates opportunities for income generating business such as hangar rental, fuel sales and maintenance of airplanes; there are also other positive economic impacts to having airplanes, particularly business jets, based at Roanoke's airport; it would serve as an incentive for Roanoke citizens and businesses to base their airplanes at the Roanoke Regional Airport if Roanoke's tax rate were comparable to that of competing localities in Virginia and North Carolina; consequently, tax revenue forgone due to a tax rate decrease would be mitigated and potentially increased over time by the increased number of private and business owned airplanes based at the Airport; and according to administration at the Roanoke Regional Airport, operators of the major commercial airports in Virginia believe they will be successful with legislation to modify the state sales tax on airplanes, an issue they believe has a direct correlation with economic development throughout the state.

The City Manager and the Director of Finance recommended that the City's tax rate be reduced from the current rate of \$3.45 per \$100.00 of assessed value to \$1.06 per \$100.00 of assessed value; total tax levy on airplanes for fiscal year 2000 was \$157,928.00, and using this revenue base as an example, the reduced tax rate would have generated \$109,405.00 less revenue; a single \$10 million business jet would generate \$63,600.00 in additional revenue during the first year of taxation if based at the Roanoke Regional Airport; and a reduction in the tax rate will demonstrate the City's willingness to take measures to help assure that Roanoke's airport is competitive with other airports throughout Virginia and neighboring airports in North Carolina.

Mr. Hudson moved that the following ordinance be placed upon its first reading:

(#35153) AN ORDINANCE amending and reordaining §32-104, <u>Levied; rate</u>, of Article III, <u>Tax on Tangible Personal Property Generally</u>, of Chapter 32, <u>Taxation</u>, of the Code of the City of Roanoke, (1979), as amended, by adding a new subsection (c) to provide for a reduction in the tax rate of the personal property tax as it applies to aircraft, pursuant to the provisions of the foregoing article, upon certain terms and conditions.

(For full text of Ordinance, see Ordinance Book No. 63, Page 34.)

The motion was seconded by Mr. White.

The Mayor inquired if there were persons present who would like to address Council with regard to the matter; whereupon, the following persons spoke:

Karen Roberts, Manager, Piedmont Hawthorne Aviation at Roanoke Regional Airport, advised that due to the punitive tax rates on aircraft, the Roanoke airport has lost a significant amount of business over the past several years; and several aircrafts have relocated to the Greensboro airport and other locations in North Carolina. She further advised that there are benefits to a business such as Piedmont in increased fuel and aircraft sales which would be derived from a lower tax rate; however, there are benefits to the City as well relating to increased employment of additional refuelers, technicians, and increased commissions from fuel purchases which the Commission receives. She urged Council to approve the reduction in tax rates recommended by the City Manager and Director of Finance.

Mr. Bittle Porterfield 2831 Wilton Road, S. W., spoke in support of the tax reduction and concurred in the remarks of Ms. Roberts with regard to the economic development aspects that might be realized from the tax reduction.

Mr. J. Granger Macfarlane, 2402 Woodcliff Road, S. E., advised that the Roanoke Regional Airport is undergoing and will complete within approximately four years a \$52 million construction and refurbishing program, ranging from runways to a new tower; and, in addition, the airport occupies about 900 or more acres of land in the City. He further advised that the airport not only can be a great generator of economic development, but with respect to related aircraft, it places the airport in a much better position to compete with other cities.

Mr. James Callus advised that the Roanoke City Public Schools provides aviation instruction, but unfortunately, the tax rate on aircraft in Roanoke discourages individuals from participating in general aviation, both in owning and renting aircraft from various fixed based operators, as well as participating in the aviation environment. He encouraged Council to lower the tax rate on aircraft.

No other person wishing to address Council, and there being no discussion/questions by Council, Ordinance No. 35153, was adopted, on its first reading, by the following vote:

AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch, Carder and Mayor Smith------7.

NAYS: None-----0.

CHARTER-COUNCIL-LEGISLATION-SCHOOLS-CITY CODE-CITY PROCUREMENT CODE: The City Clerk having advertised a public hearing for Monday, November 20, 2000, at 7:00 p.m., or as soon thereafter as the matter may be heard, on a request of the City of Roanoke that the General Assembly of Virginia make amendments to various sections of the Roanoke Charter of 1952, as amended, in order to remove certain archaic language and outdated, outmoded and unnecessary provisions therein, to conform certain provisions in the Charter to current State enabling laws, to streamline the City's legislative process, to require that certain Council-Appointed officers reside within the City, to provide for the appointment of a Deputy and Assistant City Managers, to increase the threshold for bidding and contracts for public improvements from \$30,000.00 to \$50,000.00, to increase the threshold for change orders that must be approved by City Council from \$25,000.00 to \$50,000.00 or 25 per cent of the contract, whichever is greater, and, in general, to make more efficient the operation of City government, the matter was before the body.

Legal advertisement of the public hearing was published in <u>The Roanoke Times</u> on Thursday, November 9, 2000.

A report of the Legislative Committee advising that the Committee reviewed the proposed amendments to the City Charter and concurred in the scheduling of a public hearing, in order to obtain the views of citizens on the proposed amendments, was before Council.

The Legislative Committee recommended that Council adopt a resolution requesting the proposed amendments to the City Charter; and advised that if Council concurs in and adopts a proposed resolution, State Code requires that the City forward the resolution and certain other documents to the City's legislative delegation, with the request that a bill be introduced in the 2001 Session of the General Assembly to amend the Charter as proposed.

Mr. Harris offered the following resolution:

(#35154-112000) A RESOLUTION requesting the 2001 Session of the General Assembly to amend various sections of the existing Roanoke Charter of 1952 in order to modernize it, remove certain provisions and language therefrom and to provide in general for more efficient and effective legislative processes and municipal operations in the City.

(For full text of Resolution, see Resolution Book No. 64, Page 28.)

Mr. Harris moved the adoption of Resolution No. 35154-112000. The motion was seconded by Mr. Carder.

The Mayor inquired if there were persons in attendance who would like to address the matter; whereupon, Mr. Martin Jeffrey, 517 Rutherford Avenue, N. W., advised that sufficient notice was not provided to citizens in view of the implications of the proposed changes. He referred specifically to page 3 with regard to changes that impact the use of eminent domain, pages 6 and 7 with regard to water inspectors/water inspections, pages 8 and 9 regarding selling impounded vehicles which are removed from private property, page 14 regarding the removal of paupers or dependent persons and revisions relating to the Health Department, page 17 in regard to Council's powers/compensation, page 26 relating to powers and duties of the Mayor in emergency situations, page 43 with regard to the Fire Department's authority to raze hazardous buildings, and pages 55 and 56 in regard to issuance of bonds. He stated that the above items are substantive issues and expressed concern that citizens have not had an opportunity to adequately respond to certain significant revisions. He advised that any time Charter changes are proposed, because of the nature of the document, it is a very substantive matter and every effort should be made to ensure that citizens are given every opportunity to participate in the process.

The City Attorney called attention to certain language and provisions of the City Charter that are outdated and outmoded; therefore, he sought comments from City Council, City staff, Constitutional Officers, and Council Appointed Officers, and asked that they review their respective portions of the City Charter pertaining to their individual areas of expertise, and as a result, he received numerous comments and suggestions for language changes which have been incorporated in the document currently before the Council. He explained that the City Charter has not been revised, comprehensively, since 1952; and certain substantive changes were proposed, however, he suggested that they be held in abeyance until 2001. He further explained that the majority of the proposed deletions are provisions that are either outmoded, have been superceded by current laws, the Supreme Court has

declared them to be unconstitutional, or enabling legislation is now much better than current City Charter provisions. He stated that the public hearing was properly advertised, pursuant to provisions of the Code of Virginia, 1950, as amended.

No other persons wishing to address Council, and there being no discussion/questions by Council, Resolution No. 35154-112000 was adopted by the following vote:

Mayo	AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch, Carder and or Smith7		
	NAYS: None	·0.	
	OTHER HEARINGS OF CITIZENS:		

ARMORY/STADIUM-SCHOOLS: Mr. George C. Miller, 3349 Kershaw Road, N. W., addressed Council with regard to the renovation of Victory Stadium, and recommended that school personnel be included in plans for renovations and/or construction of a new stadium.

COMPLAINTS-COUNCIL-CITY GOVERNMENT: Mr. Martin D. Jeffrey, 517 Rutherford Avenue, N. W., addressed Council in regard to accountability by Council to the voters and participation by citizens in the local government process. He stated that citizens have a right to participate, to be heard, and to be respected in the governmental process; however, the process is currently flawed because City officials continue to review ways to make government more convenient for City Council and City administrators, to the detriment of taxpayers.

COMPLAINTS-TAXES-CITY PROPERTY-CITY EMPLOYEES: Mr. Robert Gravely, 1412 Moorman Road, N. W., expressed concern with regard to the limited amount of time allotted to speakers at City Council meetings. He also expressed concern with regard to large businesses acquiring land in the City, an increase in tax assessments on real property, loss of employees in all City departments, the high tax bracket and accompanying low pay scale for City employees.

There bein	g no further business, the Mayor declared the meeting adjourned
at 8:25 p.m.	
	APPROVED
ATTEST:	

Mary F. Parker City Clerk

Mayor

Ralph K. Smith

REGULAR WEEKLY SESSION-----ROANOKE CITY COUNCIL

January 6, 2003

9:00 a.m.

The Council of the City of Roanoke met in regular session on Monday, January 6, 2003, at 9:00 a.m., in the City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, Virginia, with Mayor Ralph K. Smith presiding, pursuant to Chapter 2, Administration, Article II, City Council, Section 2-15, Rules of Procedure, Rule 1, Regular Meetings, Code of the City of Roanoke (1979), as amended; and pursuant to action taken by the Council at its Planning Retreat on December 18, 2002, to continue the meeting until 9:00 a.m., on Monday, January 6, 2003.

PRESENT: Council Members William D. Bestpitch, William H. Carder, M. Rupert Cutler, Linda F. Wyatt and Mayor Ralph K. Smith-----5.

ABSENT: Vice-Mayor C. Nelson Harris and Council Member Alfred T. Dowe, Jr.-----2.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

COMMITTEES-CITY COUNCIL: A communication from Vice-Mayor C. Nelson Harris, Chair, City Council Personnel Committee, requesting a Closed Meeting to discuss the performance of four Council-Appointed Officers, pursuant to Section - 2.2-3711 (A)(1), Code of Virginia (1950), as amended, was before the body.

Mr. Carder moved that Council concur in the request Vice-Mayor Harris to convene in a Closed Meeting to discuss the performance of four Council-Appointed Officers, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, and Mayor Smith-----5.

NAYS: None-----0. (Vice-Mayor Harris and Council Member Dowe were not present when the vote was recorded.)

At 9:05 a.m., the Mayor declared the meeting in recess to be immediately reconvened in the Emergency Operations Center Conference Room, Room 159, for a Council/Staff Work Session.

At 9:10 a.m., the Council meeting reconvened in a work session in Room 159, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, Virginia, with all Members of the Council in attendance, Mayor Smith presiding. (Vice-Mayor Harris arrived at 9:15 a.m. and Council Member Dowe arrived at 9:20 a.m.)

STAFF PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; Mary F. Parker, City Clerk; Troy A. Harmon, Municipal Auditor; George C. Snead, Jr., Assistant City Manager for Operations; and Rolanda B. Russell, Assistant City Manager for Community Development.

PROPOSED STRUCTURE FOR FUTURE WORK SESSIONS:

COUNCIL: The City Manager advised that Council stated at its planning retreat on Wednesday, December 18, 2002, that it would like to engage in more meaningful discussions on issues affecting the City of Roanoke; however, the agenda is programmed to the extent that it is difficult to engage in meaningful dialogue; and accordingly, Council expressed a desire to hold work sessions on the first Monday of each month commencing at 9:00 a.m. She asked that Council provide clarification to staff with regard to the types of items that the Council would like to discuss at future work sessions, whether Council wishes to continue the 5:00 p.m., dinner meetings on the third Monday of each month, and to identify which Committees the Council would like to meet with during the year.

Suggestions/comments offered by the Mayor and Members of Council as potential topics for discussion during 9:00 a.m.- 2:00 p.m. work sessions:

- The scheduling of interviews with applicants to various Council-appointed committees and performance evaluations of Council-Appointed officers.
- Discussion of various City issues.
- A field trip to view a City facility or program, with the understanding that the activity will be a meaningful use of time.
- Discussion of philosophical issues.
- Each Member of Council brings a specific talent to the table and by sharing individual points of view, Council will be able to make more intelligent decisions.
- Questions with regard to items which are included on the 2:00 p.m., Council docket. Concern was expressed that the Council should not become so efficient in its meetings that it is perceived as a "rubber stamp" by the public. There is a perception by some citizens that Council Members should ask questions.
- There are instances when an individual Member of Council will request a staff briefing on a specific topic which, in some instances, becomes a part of the formal Council agenda; other Members of Council may not have an interest in the topic; therefore, briefings requested by a Member of Council should be approved by at least four Members of the Council prior to placing the item on the Council's formal agenda. Any topic deemed appropriate by the City Manager for a Council briefing should be automatically included on the formal agenda.

- Time frames should be assigned to each item on the work session agenda.
- Information related to presentations on the 2:00 p.m. Council docket should be included in the Council's agenda material which is received prior to the Council meeting, in lieu of distribution at the formal Council session.
- An item should be included at the beginning of each work session agenda; i.e.: Items Requiring Additional Discussion/Clarification/Additions and Deletions to the 2:00 p.m. Council docket.

COMMITTEE LIAISON REPORTS BY COUNCIL MEMBERS:

Hotel Roanoke and Conference Center Commission:

Mayor Smith advised that the Hotel Roanoke and Conference Center is a success story which is paying its own way. He stated that in addition to the Mayor, the City's representatives include the City Manager and former Council Member William White, Sr.

There was discussion in regard to appointing two active members of City Council to the Hotel Roanoke Conference Center Commission, along with a City administrator. A suggestion was offered that City representatives to the Commission consist of one active Member of City Council, a City administrator and a member at large from the City of Roanoke. Following discussion, the matter was referred to the City Attorney for report to Council.

There was also discussion with regard to the role of the Center for Organization Technological Advancement (COTA) Program at the Hotel Roanoke Conference Center administered through Virginia Tech; and a question was raised with regard to the status of the culinary arts program that was to be offered by Virginia Tech at the Conference Center; whereupon, the Mayor advised that he would determine the status of the program and advise Council accordingly.

City of Roanoke Redevelopment and Housing Authority:

Vice-Mayor Harris advised that the Board of Commissioners of the Roanoke Redevelopment and Housing Authority and its Executive Director would like to assume a new role in government and in the development of the community. He explained that the Housing Authority currently partners with the City of Roanoke in economic development projects through acquisition of property to be developed and manages and operates public housing in the community, and the Housing Authority wishes to continue its role in these two areas. However, he called attention to new energy on the Housing Authority, i.e.: (1) the professional background and history of the Executive Director; (2) a high energy Board of Commissioners that wishes to be more engaged than previous Boards, with a demonstrated willingness to do new and different things; and (3) kick-off of the Bullitt-Jamison Pilot project which started the initiative to look at some of the City's core neighborhoods and the infusion of City monies and Community Development Block Grant funds into neighborhood development. Vice-Mayor Harris advised that the Housing Authority wishes to be highly engaged in the process as the City moves forward into the neighborhoods, particularly relative to housing; therefore, the Housing Authority wishes to assume a different role; and certain key staff positions have not been filled in anticipation that the Council might want the Housing Authority to assume a new role; whereupon, Vice-Mayor Harris requested input by the Mayor and Council Members.

The City Manager was called upon for remarks; whereupon, she referred to the expertise of John Baker, the Housing Authority's Executive Director, and his previous experience with neighborhood redevelopment. She stated that the matter came to the forefront with the creation of the City's Department of Neighborhood Services which made it obvious that the City was venturing into neighborhood redevelopment. She stated that Mr. Baker sees the potential for the Housing Authority to be the lead entity in all of the City's economic development pertaining to housing, which is an option that has been exercised by some localities; however, her personal feeling is that the Housing Authority, like the City of Roanoke, needs to overcome some of the stigma of the past. She explained that some of the choices in the Southeast by Design project were deliberate in an attempt to try and address some of those experiences from the past and to involve the Blue Ridge Housing Development Corporation in the process. She advised that housing should be disbursed throughout the City, there is a need to promote low income housing in other jurisdictions in the Roanoke Valley, and there is also a need to work together more cooperatively. She encouraged Council to engage in the appropriate dialogue, but requested that more time be spent on the matter before Council reaches a final decision.

Comments by the Mayor and Council Members:

- The Housing Authority could offer expertise with the housing component, but not the overall coordination of housing redevelopment.
- The Housing Authority is involved in numerous projects, one of which is the Bio Med Center on South Jefferson Street. The RRHA is currently short of staff and it is hoped that the Housing Authority will not over extend itself.
- There is a need for the Council and the Housing Authority to engage in frank discussions about the future role of Council and the RRHA. It would be advantageous for the Housing Authority to be involved in upper scale housing development issues which will help to improve its image. The Council should be clear about its expectations, as well as the individual roles of the Council and the Housing Authority.
- Council should hear from all housing agencies, including the RRHA, Blue Ridge Housing Development Corporation, Christmas in April, etc.

It was the consensus of Council to use the next six months to hold monthly breakfast meetings which are attended by the Vice-Mayor in his role as liaison between Council and the Housing Authority, one member of City Council, two Housing Authority Commissioners, the City Manager and the Executive Director to discuss the matter in detail for further discussion by Council and the Housing Authority at a joint meeting to be held later in the year.

City of Roanoke Transportation Safety Commission:

Council Member Bestpitch advised that membership is complete and Council will receive a recommendation from the Transportation Safety Commission in the near future with regard to transportation safety improvements.

Roanoke Neighborhood Partnership Steering Committee/Ad Hoc Study Committee:

Council Member Bestpitch advised that a proposal will be submitted to Council in the near future that will significantly reduce the number of members on the Roanoke Neighborhood Partnership Steering Committee from 30 to 11, and, in addition, a name change will be proposed.

Roanoke Valley-Allegheny Regional Commission:

Council Member Bestpitch advised that the long range water supply study is on track and moving forward, and the study will include potential additional water sources that may be available throughout the region.

<u>Virginia's First Regional Industrial Facility Authority:</u>

Council Member Bestpitch advised that the joint venture involves a revenue sharing project with other local governments of the Commerce Park which is located near the airport on the outskirts of the Town of Dublin. He stated that there is a good opportunity in that the airport, although small, is large enough to accommodate freight shipments that can be held in the warehouse as a cost saving measure until materials are ready to be used for production. He added that site production is moving forward, issues with surrounding property have been resolved, and it is hoped that announcements will be made in the near future with regard to groundbreaking, ribbon cutting, etc.

Finance Best Practices Task Force:

Council Member Bestpitch advised that the Task Force has continued to meet and, at some point in the future, it will be necessary to hold a discussion with regard to how responsibilities are divided up and assigned to the various City departments, and whether or not restructuring is in order.

War Memorial Committee:

Council Member Bestpitch advised that no meetings have been held during the past year.

Total Action Against Poverty Board of Directors:

Council Member Bestpitch advised that attention is beginning to focus on the former Dumas Hotel renovations and a new facility that will be housed at that location. He called attention to serious challenges facing the Virginia CARES program, as well as certain other non-profit State agencies.

At 10:55 a.m., the Mayor declared the meeting in recess.

At 11:20 a.m., the work session reconvened in the Emergency Operations Center Conference Room, Room 159, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, Virginia, with all Members of the Council in attendance.

The work session continued with reports by Council Members in their liaison capacities to various committees.

Special Events Committee:

Council Member Carder advised that negotiations have gone well with an agency known as Valley Events which will serve as the gatekeeper in developing new and distinctive events for the Roanoke region and, it is envisioned in the future that the organization will become the coordinator of regional events. He stated that Valley Events will be responsible for working out logistics, event details, providing technical expertise, crowd control, tickets for events, etc.

The City Manager stated that the intent is to create an event umbrella organization that will master calendar the year, engage in advance planning, and serve as a mentor to various organizations. She added that ultimately, the goal of the organization is to be a single fundraiser for festivals throughout the City, to contact businesses to solicit contributions that will go into a pool of money for special events, and Valley Events will be held accountable for the quality of events to be produced.

It was suggested by a Member of Council that Roanoke City Council Members participate in the St. Patrick's Day Parade in March.

Virginia First Cities Coalition:

Council Member Carder advised that he, along with the City Manager, represent the City of Roanoke on the First Cities Coalition and the City Manager also serves on the Executive Committee. He stated that the City's money has been well spent and as a result of lobbying efforts, the State maintenance formula was changed, resulting in \$3 million to First Cities, or \$175,000.00 to the City of Roanoke. He added that First Cities was crucial in getting at risk funding education removed from the Governor's budget and the Coalition was vocal about ensuring that public education was not touched. He noted that the Coalition continues to strongly encourage the Deputy Chief of Staff to develop an urban policy and the Chief of Staff has indicated that a meeting will take place with the Governor. With regard to tax restructuring, he advised that the question has been raised as to when the real root cause of the problem will be addressed; and member localities are getting more money for their dollars through the Virginia First Cities Coalition which is more focused, versus the Virginia Municipal League which has become too broad based in its focus.

There was discussion in regard to the position of member localities to the Virginia First Cities Coalition, in connection with passing on State funding cuts to the affected agencies; whereupon, the City Manager advised that all member jurisdictions to First Cities have been requested to respond by the end of the day with specific examples of what State budget reductions will mean for their budgets and whether they will continue to pass on the cuts to the affected agencies. She stated that one of the strategies discussed by First Cities is to support a position that encourages the General Assembly to not change the Governor's recommendation as it relates to public education inasmuch as to this point, no serious damage has been done; and the Coalition is seriously considering taking a position to request a five year plan for the General Assembly to meet those obligations as defined by the JLARC study. She stated that information with regard to actions taken by other localities will be provided to the Council.

War Memorial Committee:

Council Member Carder advised that no meetings have been held this year.

Roanoke Valley-Allegheny Regional Commission:

Council Member Carder advised that he also serves on the Strategy Planning Committee of the Roanoke Valley-Allegheny Regional Commission. He discussed the issue of regional cooperation and how independent cities may be a root cause

as to why localities cannot achieve substantial regional changes; the committee has engaged in discussions to identify regional issues such as health, housing, land use planning, water/sewer, airport, etc., and all issues will be placed on the table for discussion. He added that counties must realize that they are going through the same kind of suburbanization that cities are under going; and the Roanoke Valley-Allegheny Regional Commission has decided to take on the role of a facilitative unit.

Roanoke Valley Convention and Visitors Bureau, Board of Directors:

Council Member Carder advised that the RVCVB has a budget of over \$1 million; and requests were made to other localities for contributions; however, to date, no contributions have been received toward a regional marketing effort. He noted that hotels in Roanoke County and the City of Salem have been encouraged to bring pressure on their respective localities to participate in the regional marketing effort.

Mill Mountain Advisory Committee:

Council Member Cutler advised that he has attended monthly meetings at the Discovery Center; he accepted the gift of a flag pole from Woodmen of the World, and a bronze plaque describing the special status of the Mill Mountain Star for Mayor Smith; he devoted particular attention to investigating the possibility of the City donating a conservation easement on the steep portions of the park to the Virginia Outdoors Foundation and/or the Western Virginia Land Trust to prevent future inappropriate development; and the Committee is developing a plan that would result in its going out of business following completion of certain items of business (folding its duties into the City-wide Parks and Recreation Advisory Committee).

Mill Mountain Zoo, Inc.:

Council Member Cutler advised that routine reports on new species acquisitions and budget issues, etc., and a new water line and car-parking capacity are major issues.

Roanoke Arts Commission:

Council Member Cutler advised that new guidelines for administration for the Percent for the Arts Program were requested by the Arts Commission and approved by Council; the separate Committee to administer the program was disbanded; and new guidelines for local non profit applicants for City grants are being drafted that will reduce the complexity of paper work requirements and allow applicants to apply for base operating support, as well as funds for short-term special projects.

The City Manager pointed out that the funds can be used by local non-profit organizations for general operating purposes, and it is the sense of City staff that Council is supportive of the proposed new guidelines.

Comments by the Mayor and Council Members:

- When criteria moves from specific programs to the organization, it becomes difficult to develop criteria by which to judge one organization against another, and it is easier to judge programs versus programs.
- Organizations should be given some flexibility to raise additional money.
- An alternative would be to designate a certain percentage of the funds for operations.
- There should be some incentive for joint cooperation projects, such as the Dumas Hotel and the Harrison Museum of African-American Culture.
- The Downtown Interstate Exit, Exit 5, which is the location where the fountain currently exists, would be an excellent location for a piece of art. It was noted that the location was the proposed site for the Unity Fountain, Downtown Roanoke, Inc., has been approached about assuming sponsorship of the Unity Fountain and the matter should also be discussed by the Arts Commission.

The City Manager advised that the funding issue for cultural agencies could be addressed through a compromise, and funds could be used for existing programs, or designation of a specific program for matching funds. She stated that another alternative would be to use HUD guidelines for administrative costs and, with the concurrence of Council, she would incorporate the HUD guidelines into the proposed policy.

Roanoke Valley/Allegheny Regional Commission:

Council Member Cutler advised that the Regional Commission took advantage of the opportunity to obtain a special status from the USEPA giving the region more time to reduce its ozone air pollution and qualify as complying with air quality standards. He further advised that the Regional Commission is attempting to address the need for a "brand" or slogan for the region to increase its profile and ability to attract tourists and businesses.

Roanoke Valley Long Range Water Supply Study Committee:

Council Member Cutler advised that the firm of Black & Veatch has been contracted to conduct a quick analysis of known information regarding the relative productivity of various new, major water supply sources for the region.

Urban Forestry Task Force:

Council Member Cutler advised that the Task Force is drafting a new urban forestry ordinance and an associated program that will improve the City's impact on its urban forest and lead to a major increase in the per cent of the City's area under a forested canopy.

The City Manager advised that the proposed ordinance will be presented to Council in February 2003.

Roanoke Valley Regional Cable Television Committee:

Council Member Dowe advised that Cox Communications has received copy of the franchise agreement for review by its legal team.

Mayor's Committee for People with Disabilities:

Council Member Wyatt advised that her schedule has prevented her from attending meetings of the committee.

Roanoke Civic Center Commission:

Council Member Wyatt commended Civic Center staff on their outstanding work in connection with the change-over on Saturday, January 4, from the Roanoke Dazzle basketball game in the afternoon, to the Roanoke Express hockey game on that same evening. She advised that high school graduations will be held in the Civic Center Auditorium in June on a trial basis, with a limited number of tickets, and with the assurance that no problems will be encountered.

The Acting Director of Civic Facilities advised that in late December 2002, the City of Roanoke received notice of an Alcoholic Beverage Control Board hearing date for February 20, 2003, in connection with the City's application to serve alcoholic beverages at Roanoke Civic Center events. He called attention to 58 citizens who have signed up in opposition to the City's application, most of whom

reside outside of the City limits, and some churches in the City are also in opposition for religious and philosophical reasons. He explained that staff is developing a list of citizens who will provide positive testimony in support of the City's request, and the license is needed in order for the City to remain competitive with other facilities in the area.

Virginia CARES Board of Directors:

Council Member Wyatt advised that a report regarding funding is scheduled to be considered by Council at its 2:00 p. m. session.

Virginia Museum of Transportation Board of Directors:

Council Member Wyatt advised that funding has been severely cut, various fund raising activities are scheduled throughout the year, and the Transportation Museum is doing a yeoman's job to raise money.

The work session was declared in recess at 12:30 p.m., at which time the Council convened in Closed Session to engage in mid year performance evaluations with the Director of Finance, City Clerk, City Attorney and City Manager.

The Council meeting reconvened at 2:00 p.m., on January 6, 2003, in the City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, Virginia, with Mayor Ralph K. Smith presiding.

PRESENT: Council Members William D. Bestpitch, William H. Carder, M. Rupert Cutler, Alfred T. Dowe, Jr., C. Nelson Harris, Linda F. Wyatt and Mayor Ralph K. Smith-----7.

ABSENT: None-----0.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

The meeting was opened with a prayer by The Reverend Floyd W. Davis, Pastor, High Street Baptist Church.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Smith.

PRESENTATIONS AND ACKNOWLEDGMENTS:

WATER RESOURCES: The Mayor announced that at an 11:00 a.m. news conference, mandatory water restrictions were lifted in the City of Roanoke.

CONSENT AGENDA

The Mayor advised that all matters listed under the Consent Agenda were considered to be routine by the Members of Council and would be enacted by one motion in the form, or forms, listed on the Consent Agenda, and if discussion was desired, that item would be removed from the Consent Agenda and considered separately. He called specific attention to a request for one Closed Session to discuss vacancies on certain Council-Appointed committees.

MINUTES: Minutes of the regular meeting of Council held on Monday, November 18, 2002, was before the body.

Mr. Cutler moved that the reading of the minutes be dispensed with and that the minutes be approved as recorded. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and

mayor ormar	
NAYS: NONE	0.
COMMITTEES-CITY COUNCIL: A communication from the Honorable Smith, Mayor, requesting a Closed Meeting to discuss vacancies on authorities, boards, commissions and committees appointed by Council, to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended, was before t	certain oursuant
Mr. Cutler moved that Council concur in the request of the Mayor to in a Closed Meeting to discuss vacancies on certain authorities, commissions and committees appointed by Council, pursuant to Section (A)(1), Code of Virginia (1950), as amended. The motion was seconded by Mand adopted by the following vote:	boards, 2.2-3711
AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, W Mayor Smith	_
NAVE NONE	0

BUDGET: A communication from the City Manager transmitting the proposed 2003-04 Budget Study calendar, was before the body.

<u>Date</u>	Budget Preparation Activities
April 14-18, 2003	City Manager briefs City on Recommended budget.
April 18, 2003	Recommended budget document delivered to City Council Members.
April 18, 2003	Advertisements of public hearings on recommended budget and tax rates appear in newspapers.
April 28, 2003	Public hearings on recommended budget and tax rates.
May 7-9, 2003	**Requires special meeting of City Council City Council budget study work sessions.
May 12, 2003	City Council adopts General Fund, School Fund, Proprietary Fund budgets and an Update to the HUD Consolidated Plan and approves an annual appropriation ordinance. **Requires special meeting of City Council

Mr. Cutler moved that Council concur in the proposed 2003-04 Budget Calendar. The motion was seconded by Mr. Dowe and adopted by the following vote:

Mayo	AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wy or Smith	
Mayo		
	NAYS: NONE	0.

CITY PROPERTY: A communication from the City Manager recommending that Council authorize a public hearing to be held on Tuesday, January 21, 2003, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to proposed conveyance of property rights in connection with surplus City-owned property, described as Official Tax Nos. 2011718, 2021789 and 2021788, was before the body.

Mr. Cutler moved that Council concur in the recommendation of the City Manager. The motion was seconded by Mr. Dowe and adopted by the following vote:

	AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and
Mayo	r Smith7
	NAYS: NONE0

JEFFERSON CENTER-LEASES-SCHOOLS: A communication from the City Manager recommending that Council authorize a public hearing to be held on Tuesday, January 21, 2003, at 7:00 p.m. or as soon thereafter as the matter may be heard, with regard to lease of the Jefferson High School Gymnasium, was before the body.

It was advised that the Young Men's Christian Association of Roanoke, Virginia (YMCA), currently leases the Jefferson High School Gymnasium; the lease agreement expires on January 18, 2003; the YMCA has expressed an interest in continuing the lease agreement; the feasibility of a new lease agreement, or possibly a transfer of title, is currently being negotiated; and to facilitate time for negotiation, the YMCA has requested an extension agreement of the current lease for six months.

Mr. Cutler moved that Council concur in the recommendation of the City Manager. The motion was seconded by Mr. Dowe and adopted by the following vote:

	AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt an	d
Mayo	Smith	7.
	NAVS: NONE	^

LEASES-COMMONWEALTH OF VIRGINIA BUILDING: A communication from the City Manager recommending that Council authorize a public hearing to be held on Tuesday, January 21, 2003, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to lease of the Commonwealth Building, was before the body.

It was advised that the United States General Services Administration (GSA) currently leases space within the Commonwealth Building, which is owned by the City; GSA uses the second floor of the building for the Federal Bankruptcy Court and its affiliated offices; the current lease expires on January 31, 2003; the GSA is interested in extending the lease for one year, with the same terms as the current lease; and the current lease rate is \$6.50 per square foot, plus \$3.97 per square foot for operating costs, increased annually based on the Consumer Price Index 1982-1984 = 100, at an annual rent amount of \$130,007.76.

POLICE DEPARTMENT-OATHS OF OFFICE-COMMITTEES-CITY COUNCIL-COURT COMMUNITY CORRECTIONS BOARD-JUVENILE CORRECTIONAL FACILITIES-BLUE RIDGE COMMUNITY SERVICES-ROANOKE NEIGHBORHOOD PARTNERSHIP-VIRGINIA ALCOHOL SAFETY ACTION PROGRAM: The following reports of qualification were before Council:

Jesse A. Hall as a member of the Roanoke Valley Juvenile Detention Center Commission, for a term ending June 30, 2006

The Honorable John B. Ferguson and The Honorable Julian H. Raney as members of the Court Community Corrections Program Regional Criminal Justice Board, for terms ending June 30, 2005;

Carl D. Cooper as a member of the Roanoke Neighborhood Partnership Steering Committee, for a term ending November 30, 2005;

A. L. Gaskins as a member of the Regional Policy Board, Alcohol Safety Action Program, for a term ending June 30, 2004;

Alma L. Lee as a member of the Personnel and Employment Practices Commission, for a term ending June 30, 2005; and

Robert Williams, Jr., as a member of the Blue Ridge Behavioral Healthcare, Board of Directors, for a term ending December 31, 2005.

Mr. Cutler moved that the reports of qualification be received and filed. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and
Mayor Smith7
NAYS: NONE0
LEASES-CITY MARKET: A communication from the City Manage recommending that Council hold a public hearing on Tuesday, January 21, 2003, a 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to lease o the City Market Building, was before the body.
Mr. Cutler moved that Council concur in the recommendation of the City Manager. The motion was seconded by Mr. Dowe and adopted by the following vote
AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith7
ABSENT: None0

REGULAR AGENDA

PUBLIC HEARINGS: NONE.

PETITIONS AND COMMUNICATIONS: NONE.

REPORTS OF OFFICERS:

CITY MANAGER:

BRIEFINGS: NONE.

ITEMS RECOMMENDED FOR ACTION:

BUDGET-HOUSING/AUTHORITY-GRANTS-YOUTH: The City Manager submitted a communication advising that World Changers is a volunteer organization that brings together youth and adults from throughout the nation to participate in housing and related community service projects; several months ago the City and World Changers began discussions with regard to a project to repair 30 or more homes in the southeast and other areas of the City during July 2003; World Changers will provide youth workers and adult supervision for painting, roofing, and other rehabilitation; and the City will provide funding for materials and other support, including housing youth and adults at a school facility for the week.

It was further advised that the City and World Changers have designed a project for the week of July 12-19, 2003; uncommitted current-year Community Development Block Grant (CDBG) funds are to be used for costs of materials and need to be in place prior to July; numerous other preliminary activities to be supported by CDBG funds must be undertaken prior to arrival of the World Changers group; therefore, the project must be added to the City's 2002-03 Annual Update to the Consolidated Plan, requiring a 30-day public review before implementation; a legal notice appeared in The Roanoke Times on November 29, 2002, to begin the public comment period, which ended on December 30, 2002; and no objections to the project were received.

It was explained that preliminary activities to be undertaken prior to arrival of the World Changers group are extensive and critical to the success of the project, which includes identifying homes and determining homeowner eligibility, preparing work write-ups, assessing and treating affected lead-based paint, securing necessary rehabilitation materials, coordinating with World Changers, and many other details; the City has chosen Blue Ridge Housing Development Corporation, Inc., (BRHDC) to serve as overall program administrator to perform these functions; a subgrant agreement with BRHDC, will be needed to outline the various provisions; the \$110,000.00 in CDBG funds needed for the agreement will be appropriated from additional program income received in excess of current revenue estimates; and housing arrangements for World Changers youth and adults are being finalized by the City's Youth Planner with the Roanoke City Schools and will be completed in the near future.

The City Manager recommended that the following actions be approved by Council:

Authorize the City Manager to amend the 2002-03 Annual Update to add the World Changers project.

Authorize the City Manager to execute a CDBG Subgrant Agreement with Blue Ridge Housing Development Corporation, Inc., to be approved as to form by the City Attorney.

Increase revenue estimates in the following revenue accounts:

035-G02-0200-2202	by \$7,400.00
035-G02-0200-2203	by \$1,806.00
035-G02-0200-2204	by \$8,034.00
035-G02-0200-2222	by \$3,260.00
035-G02-0200-2240	by \$14,270.00
035-G03-0300-2205	by \$1,375.00
035-G03-0300-2222	by \$2,813.00
035-G03-0300-2232	by \$27,076.00
035-G03-0300-2234	by \$5,849.00
035-G03-0300-2240	by \$38,117.00
	035-G02-0200-2203 035-G02-0200-2204 035-G02-0200-2222 035-G02-0200-2240 035-G03-0300-2205 035-G03-0300-2222 035-G03-0300-2232

Appropriate the above referenced funds to the following expenditure accounts:

World Changers FY02 Funds	035-G02-0220-5390	\$34,770.00
World Changers FY03 Funds	035-G03-0320-5391	\$75,230.00

Mr. Carder offered the following budget ordinance:

(#36187-010603) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 67, page 51.)

Mr. Carder moved the adoption of Ordinance No. 36187-010603. The motion was seconded by Mr. Dowe and adopted by the following vote:

	AYES:	Council	Members	Bestpitch,	Carder,	Cutler,	Dowe,	Harris,	Wyatt
and N	/layor Sm	nith							7.
	NAVO-	M							0

Mr. Dowe offered the following resolution:

(#36188-010603) A RESOLUTION authorizing the appropriate City officials to amend the 2002-2003 Consolidated Plan Annual Update regarding the World Changers project, including submission of necessary documents to the U. S. Department of Housing and Urban Development (HUD), and to enter into a 2002-2003 Community Development Block Grant (CDBG) Subgrant Agreement with the Blue Ridge Housing Development Corporation, Inc., regarding the World Changers project, upon certain terms and conditions.

(For full text of Resolution, see Resolution Book No. 67, page 52.)

Mr. Dowe moved the adoption of Resolution No. 36188-010603. The motion was seconded by Mr. Harris and adopted by the following vote:

	AYES:	Council	Members	Bestpitch,	Carder,	Cutler,	Dowe,	Harris,	Wyatt
and N	<i>l</i> layor Sn	nith							7
	NAYS:	None							0.

CITY CODE-NUISANCES-REFUSE COLLECTION-CITY PROPERTY-STREETS AND ALLEYS: The City Manager submitted a communication advising that as authorized by the Code of Virginia, 1950, as amended, Section 33-18 of the Code of the City of Roanoke (1979), declares weeds and trash on private property to be a public nuisance required to be abated; the City of Roanoke enforces these provisions with owners of private property in violation of the ordinance, however, narrow areas of public rights-of-way adjacent to private property, e.g. between road pavement and sidewalks or property lines, or along alleys, are frequently overgrown; and maintenance of these narrow areas is problematic within the City's existing resources.

It was further advised that owners of private properties currently have some maintenance responsibilities for adjacent public property, e.g. removal of snow from sidewalks; in many cases, property owners already take care of adjacent rights-of-way to the edge of streets and in alleys; where owners do not do so and City of Roanoke crews cannot mow, trim or pick up trash frequently, streetscape appearance often is poor and presents a negative image of the community; and the State Code allows responsibility for removal of nuisances from public property to be assigned to owners of property affected, as is done in several localities around the State, including Newport News, Richmond, Norfolk, and Bedford.

The City Manager recommended that Council approve amendment to Section 33-17, Code of the City of Roanoke (1979), as amended, to extend responsibility for weeds and trash on public rights-of-way along streets and alleys to the owners of adjacent private property, which amendment is a part of the City of Roanoke's efforts to improve the appearance of its streetscapes and neighborhoods.

Mr. Dowe offered the following ordinance:

(#36189-010603) AN ORDINANCE amending and reordaining subsections (d), (e) and (g) of §33-17, <u>Definitions</u>, of Chapter 33, <u>Vegetation</u>, of the Code of the City of Roanoke (1979), as amended, to amend the definition of Owner, Parcel and Weed or Weeds; and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 67, page 53.)

Mr. Dowe moved the adoption of Ordinance No. 36189-010603. The motion was seconded by Mr. Carder.

Dr. Floyd Davis, 1829 June Drive, N. W., addressed Council in connection with the hardship on elderly persons on fixed incomes who will have to pay for someone to clear their property. He inquired if real estate taxes will be affected and if a penalty will be levied against the property owner for non-compliance.

Mr. Robert N. Richert, 415 Allison Avenue, S. W., spoke in support of the measure, which is not only beneficial to the inner city neighborhoods, but is consistent with the City's 2001-2020 Comprehensive Plan. He stated that there are absentee landlords in the inner City who take a dim view of maintaining alleyways, which include public rights-of-way that are used frequently for walking, bicycling, etc. He advised that it is unfortunate that City government must legislate what would normally be good citizenship on the part of property owners and residents of the City, but overgrown rights-of-way tend to affect not only the impression that Roanokers give of ourselves, but the impression that is passed on to visitors.

Mr. Richard Dearing, 5122 Old Springs Road, S. W., concurred in the remarks of Mr. Richert; however, he stressed the importance of the City of Roanoke being a user friendly government. He referred to a vacant lot that he owns which is located on an out of the way street, he infrequently passes the lot, and trash is occasionally found on the property; therefore, if someone trashes his property, he then becomes a victim of the ordinance. He advised that he is in favor of having a beautiful City, but would encourage that the City of Roanoke be a user friendly city.

Mr. Charles Harlow, 1375 Stoutmire Drive, S. W., advised that in the past, topics of this nature were introduced to citizens and to neighborhoods with advance notification and prior to amending the City Code. He expressed concern for himself as a property owner in the City of Roanoke and for elderly and disabled citizens.

The City Manager was requested to address issues raised by the above noted speakers; whereupon, she advised that for many years the City Code has required citizens to clear their sidewalks, particularly when the City experiences a snow event. However, she stated that it is acknowledged that citizens do not clear their sidewalks as quickly as possible, which is one of the primary reasons that the schools do not open after a snow event. She called attention to discussions regarding the creation of a youth corp that would assist elderly/disabled citizens in clearing their sidewalks. She advised that there are a number of citizens who have routinely cleared the area between the sidewalk and the street, but unfortunately, there is a level of inconsistency and the intent of the proposed ordinance is to clarify the responsibility of the adjacent property owner. Like all City Code violations, she explained that individuals would be given notice of and a period of time in which to correct the violation. With regard to Mr. Dearing's concern, she advised that he would be notified and given a reasonable period of time to effect the change, if the violation was not corrected, the City would enter the property to remove the trash and cut the grass, send a bill to the property owner, if the property owner failed to pay the bill, it would be recorded as a lien against the property and the lien would be collected at the time of disposition of the property. In an effort to assist the elderly and/or disabled citizen, she called attention to plans to implement a program in which the names of young persons in the various neighborhoods will be provided as a resource to provide assistance. She stated that there is no impact on the real estate tax rate, however, maintaining the area in front of one's residence in an attractive appearance would enhance the value of the property, as well as the value of the neighborhood. She advised that the goal of staff in bringing the proposed ordinance to Council is more to make the citizens aware of their responsibility, as opposed to using the heavy hand of enforcement, because most citizens when they understand the City's expectations will make an effort to comply.

With reference to City property, the Mayor advised that the City will have to clean up certain City-owned property before it asks citizens to abide by the proposed regulations.

Council Member Cutler commended the City Manager on the formation of a Volunteer Youth Corp, and advised that the Kiwanis Club sponsors Builders Clubs and Key Clubs in the middle schools and the high schools throughout the City and these young adults will also be pleased to assist with community service projects. The City Manager responded that she would ask the City's Youth Planner to contact the two groups as a way to build the Volunteer Youth Corp.

Council Member Carder advised that the issue of absentee landlords is being addressed as a part of the City's legislative agenda to seek enabling legislation that would authorize the City to contact absentee landlords; however, to this point, the City has been unsuccessful. He encouraged citizens to contact their State representatives and Senator to solicit their support in the City's efforts.

Ordinance No. 36189-100603 was adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith------7.

NAYS: None-----0.

BUDGET-HOSPITALS-GRANTS: The City Manager submitted a communication advising that on September 1, 1998, the City of Roanoke and Carilion Health System (CHS) entered into an agreement whereby CHS agreed to move or to create at least 310 positions in Enterprise Zone One; and the City agreed to make available job training grants, in the amount of up to \$1,000.00 per employee, not to exceed \$500,000.00, through the Fifth District Employment and Training Consortium (FDETC).

It was further advised that CHS has experienced more growth than the minimum 310 committed positions and has requested more training funds than initially set aside; the total request for training funds for 550 positions was \$471,353.42, while the City originally appropriated only \$310,000.00 for training funds of CHS; in February 2002, Council appropriated an additional \$25,678.00 to help bring the total paid to CHS to \$335,677.83; the FDETC still owes CHS \$135,675.59, an amount equal to two payment requests by CHS that went unaddressed due to staff turnover and misdirection of requests, which amount needs to be funded by the City to FDETC; and the payment will complete all commitments under the agreement.

The City Manager recommended that Council appropriate \$135,676.00 from Capital Improvement Reserve (Account No. 008-052-9575-9181) to CHS Training Grant, Account No. 008-310-9699-2044.

Mr. Carder offered the following budget ordinance:

(#36190-010603) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Capital Projects Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 67, page 55.)

Mr. Carder moved the adoption of Ordinance No. 36190-010603. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith------7.

NAYS: None------0.

SIDEWALK/CURB AND GUTTER-BUDGET: The City Manager submitted a communication advising that Council was recently briefed on the categories toward which curb and sidewalk projects are being focused using the \$5 million in bond funds generated for this purpose; the project is responsive to a number of individual citizen requests and provides for installation of approximately 20,000 square feet of sidewalk, 12,000 linear feet of curb and 9,000 square feet of entrances on various streets within the City; plans are underway to award a contract for the project to H. & S. Construction Company, in the amount of \$477,250.00, with 365 consecutive calendar days of construction time; and funding needs to be provided.

It was further advised that funding, in the amount of \$525,000.00, is needed for the project; additional funds that exceed the contract amount will be used for miscellaneous project expenses, including advertising, prints, test services, minor variations in bid quantities and unforeseen project expenses; and funding in the amount of \$525,000.00 is available in Public Improvement Bonds - Series 2002, Curb and Gutter, Account No. 008-530-9711-9195.

The City Manager recommended that Council transfer \$525,000.00 from Public Improvement Bonds - Series 2002, Account No. 008-530-9711-9195, to an account to be established by the Director of Finance entitled, Curb, Gutter and Sidewalk – Phase VIII.

Mr. Carder offered the following budget ordinance:

(#36191-010603) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Capital Projects Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 67, page 56.)

Mr. Carder moved the adoption of Ordinance No. 36191-010603. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith------7.

NAYS: None------0.

POLICE DEPARTMENT-GRANTS: The City Manager submitted a communication advising that the Virginia Community Action Re-entry System, Inc. (Va. CARES) is a nonprofit organization with its home office in the City of Roanoke and extensive experience in offender services; for the period July 1, 2002 to June 30, 2003, the Virginia Department of Criminal Justice Services (DCJS) awarded nearly \$950,000.00 in State funding to Va. CARES to continue its statewide, multi-office, pre-release and post-incarceration assistance program; due to budget cuts, DCJS recently notified Va. CARES that its State funding would terminate on December 31, 2002, but Federal funding under the Byrne Memorial Formula Grant Program (Byrne Grant), administered by DCJS, could be made available to support the program through the end of the fiscal year; however, Federal funds require a 25 per cent cash match and may be awarded only to a locality, which would then be expected to contract with Va. CARES to conduct offender services; in order meet the deadline of DCJS to ensure availability of Federal funds, Va. CARES submitted an application on November 15th indicating the City as Grantee, based on an understanding that this was not final; and the application requested \$331,102.00 in Byrne Grant funding and pledged \$110,362.00 in matching funds, for a total of \$441,464.00 in funding for the six months.

It was explained that if the City formally agrees to be the Grantee under the Byrne Grant application, it will become responsible for the entire Va. CARES program serving 44 cities and counties through nine subcontractors which are dispersed across the Commonwealth of Virginia; a grant agreement would be executed with DCJS, whereby the City would become the project administrator and

fiscal agent; and it is in the City's interests that the fiscal agent role be limited as much as possible to a "pass-through" capacity, with day-to-day operational activities, such as service delivery, payroll functions and vendor payments, administered by the Va. CARES home office and its subcontractors.

It was pointed out that given the City's budgetary constraints, it is critical that the City not take on financial liability for the matching funds requirement; under DCJS funds that expired on December 31, 2002, Va. CARES was required to contribute matching funds, which it secured through local sources and its subcontractors; as a condition for becoming the Grantee for the Federal funds, the City has stipulated that Va. CARES must provide the matching funds up front to operate during the initial six or more weeks under the Byrne Grant; by requiring Va. CARES to expend matching funds first, the City can eliminate the potential liability for providing matching funds; after the initial operating period, the City would disburse grant funds to the Va. CARES home office on a monthly basis; disbursements would require documentation of allowable costs and additional matching funds, ensuring that these requirements are being satisfied; initial use of matching funds by Va. CARES is, in any case, necessary since grant funds cannot be drawn and disbursed until after action by Council and following execution of the necessary State and subgrant agreements; and at the January 21, 2003, meeting of Council, a report will be submitted to Council to accept the Byrne Grant, appropriate funding, and authorize the City Manager to execute the agreement with Va. CARES.

The City Manager recommended that she be authorized to execute the Va. CARES Byrne Grant application, contingent upon Va. CARES having secured cash matching funds sufficient to support its operations for a minimum of six weeks.

Mr. Dowe offered the following resolution:

(#36192-010603) A RESOLUTION authorizing the City Manager to apply for a grant from the Virginia Department of Criminal Justice Services.

(For full text of Resolution, see Resolution Book No. 67, page 57.)

Mr. Dowe moved the adoption of Resolution No. 36192-010603. The motion was seconded by Mr. Cutler and adopted by the following vote:

	AYES:	Council	Members	Bestpitch,	Carder,	Cutler,	Dowe,	Harris,	Wyatt
and l	Mayor Sm	nith							7.
	NAYS.	None							<u>-</u>

NEWSPAPERS-ADVERTISING: The City Manager submitted a communication advising that the City of Roanoke produces a number of publications on a regular basis, including *Roanoke Citizen* magazine and an annual municipal calendar which are distributed to every household in Roanoke, *City Corner* which is an internal newsletter distributed to approximately 3,000 City employees and retirees, and Happenings, which is a Parks and Recreation tabloid distributed through <u>The</u> Roanoke Times.

It was further advised that these publications represent a significant expense to the City, but they also represent significant opportunities for commercial and non-profit advertisers to reach potential customers, so long as their advertising is limited to paid advertising for consumer goods and services; the City has received a number of requests to advertise in these publications, and the proposed advertising policy and fees would provide a uniform way to accept advertising and recover a portion of the expense of providing these valuable public information services; most localities in Virginia do not produce publications of similar length, frequency or distribution as does the City of Roanoke and of those localities with comparable publications, Norfolk and Virginia Beach are the most notable examples for which advertising plays a large role; the proposed Roanoke advertising policy incorporates several provisions of the Norfolk and Virginia Beach policies, including prohibitions against political, religious, sexually oriented or issue advocacy advertisements; and advertising fees in the proposed policy are based on staff research of market rates for advertisements in similar commercial publications in the region.

The City Manager recommended that Council approve the proposed advertising policy and amend the Fee Compendium to accept advertising in the above-named City publications.

Mr. Carder offered the following resolution:

"A RESOLUTION adopting a Publications Advertising Policy for the City of Roanoke, establishing advertising fees and amending the City's Fee Compendium."

Mr. Carder moved the adoption of the resolution. The motion was seconded by Mr. Dowe.

Council Member Bestpitch expressed concern with regard to attempts to address, in one sentence, the types of advertising that might be prohibited relative to first amendment questions that could arise from the issue, and noted that it is difficult to draw the line between the kind of speech that government will prohibit or

allow in this type of situation. Therefore, he offered a substitute motion that the resolution be tabled for further review by City staff and discussion at a future work session of the Council. The motion was seconded by Mr. Cutler and unanimously adopted.

DIRECTOR OF FINANCE:

DIRECTOR OF FINANCE-AUDITS/FINANCIAL REPORTS: The Director of Finance submitted the Financial Report for the City of Roanoke for the month of November 2002.

Council Member Carder expressed concern in regard to the decrease in State funding, specifically grants to certain programs. He called attention to the need to identify which City programs are mandated by the State that are either not being funded, or funding has been cut. He stated that Council should make a decision to challenge, legally, whether it is required to make up the shortfalls related to decreases in State funding; and if the State continues to cut funding to programs, local governments should: (1) inform the State that if it mandates a program, the mandate should be funded by the State, or (2) the locality should not implement the program and let the State take the locality to court.

The City Manager advised that the information requested by Mr. Carder could be compiled rather quickly because City departments, in preparing their business plans, were instructed to identify those programs that are legally mandated either by Federal law, State law, local code or discretionary.

The Mayor inquired as to the amount of State reductions passed on to the City of Roanoke as of October 2002; whereupon, the Director of Finance advised that the first notification of decreases totaled approximately \$387,000.00, and the City was recently advised of another \$500,000.00 - \$600,000.00 for the current fiscal year as set forth in the Govenor's suggested budget amendment, which is approximately one quarter of one per cent.

The Mayor advised that in the overall scope of a \$194 million City budget, one quarter of one per cent would not pose a great handicap. He inquired as to how the loss of one quarter of one per cent of the City's overall budget affects the total picture.

The Director of Finance clarified that the abovereferenced reduction of funds is in addition to the reductions that the City was notified of last year, and is not inclusive of reductions in the upcoming budget.

Council Member Bestpitch expressed concern over repeated comments that there must be ways in which the City can achieve greater efficiencies in government and ways to reduce the overall City budget. He called attention to the need to hear specific areas where budget cuts could be made, regardless of the amount of the cut, and those persons should be willing to identify what the citizens of Roanoke will have to give up in order to allow for greater efficiencies and/or an overall budget reduction.

Without objection by Council, the Mayor advised that the November 2002 Financial Report would be received and filed.

REPORTS OF COMMITTEES: NONE.

UNFINISHED BUSINESS: NONE.

INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS:

COMMITTEES-CITY COUNCIL: Mr. Bestpitch offered the following resolution providing that Council meetings will commence on the first Monday of each month at 9:00 a.m. instead of 12:15 p.m.:

(#36193-010603) A RESOLUTION amending Paragraph 2(a) of Resolution No. 35958-070102, which established a meeting schedule for City Council for the Fiscal Year commencing July 1, 2002, and terminating June 30, 2003, in order to change the time of commencement of the regular meetings of City Council to be held on the first Monday in each month from 12:15 p.m. to 9:00 a.m.

(For full text of Resolution, see Resolution Book No. 67, page 57.)

Mr. Bestpitch moved the adoption of Resolution No. 36193-010603. The motion was seconded by Mr. Cutler and adopted by the following vote:

	AYES:	Council	Members	Bestpitch,	Carder,	Cutler,	Dowe,	Harris,	Wyatt
and M	layor Sm	nith							7.
	NAVC	None	_						Λ

MOTIONS AND MISCELLANEOUS BUSINESS:

INQUIRIES AND/OR COMMENTS BY THE MAYOR AND MEMBERS OF COUNCIL:

SPORTS ACTIVITIES-ROANOKE CIVIC CENTER-HOCKEY: Council Member Wyatt commended staff at the Roanoke Civic Center for the efficient manner in which the change over occurred from the Roanoke Dazzle basketball game to the Roanoke Express hockey game on Saturday, January 4, 2003.

ROANOKE CIVIC CENTER-SPORTS ACTIVITIES: Council Member Dowe encouraged citizens of the Roanoke Valley to support the Roanoke Dazzle basketball team.

HEARING OF CITIZENS UPON PUBLIC MATTERS: The Mayor advised that Council sets this time as a priority for citizens to be heard, and matters requiring referral to the City Manager will be referred immediately for any necessary and appropriate response, recommendation or report to Council.

ZONING-COMPLAINTS-SCHOOLS: Mr. Bob Caudle, 4231 Belford Street, S. W., addressed Council in connection with concerns of residents regarding an application submitted by the Roanoke County School Board to the City of Roanoke Board of Zoning Appeals, for a zoning variance to install lights on the soccer/football field at Hidden Valley Middle School, which will allow light fixtures to be 90 feet in height, in lieu of the maximum 35 feet limitation.

Mr. Caudle advised that Hidden Valley Middle School is a Roanoke County school located in the City of Roanoke; on July 14, 1986, a Consent Decree was filed in the Circuit Court signed by the Honorable Ernest W. Ballou, Judge, ordering that the Hidden Valley Middle School lights be removed by October, 1986, and further stating that the recreational facility will remain a recreational facility for day time use only and will remain unlighted to prevent night time recreational use. He inquired as to why the Roanoke County School Board did not consult with Roanoke City officials prior to filing the application with the Board of Zoning Appeals and why did the School Board not consult with the neighborhood. He stated that residents of the Greater Deyerle area have gone to great expense to hire an attorney to represent their best interests which is not a cost that they should have to bear.

CITY MANAGER COMMENTS:

CITY EMPLOYEES: On behalf of all City employees, the City Manager expressed appreciation to the Members of Council for authorizing December 24, 2002, as an additional holiday for City employees.

ACTS OF ACKNOWLEDGMENT-CITY EMPLOYEES-SNOW REMOVAL: The City Manager commended City staff on the manner in which the snow event on Sunday, January 5, 2003, was addressed.

OATHS OF OFFICE-COMMITTEES-ROANOKE CIVIC CENTER-FDETC-SPORTS ACTIVITIES: The City Manager advised that the City of Roanoke will host a meeting of the Roanoke Valley-Alleghany Regional Commission at the Roanoke Civic Center on January 15, 2003, 4:00 - 7:00 p.m., and following the meeting, guests are invited to attend the Roanoke Dazzle basketball game.

At 3:05 p.m., the Mayor declared the meeting in recess for one closed session.

At 4:45 p.m., the meeting reconvened in the Council Chamber, with Mayor Smith presiding and all Members of the Council in attendance.

COUNCIL: With respect to the Closed Meeting just concluded, Mr. Harris moved that each Member of City Council certify to the best of his or her knowledge that: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act; and (2) only such public business matters as were identified in any motion by which any Closed Meeting was convened were heard, discussed or considered by City Council. The motion was seconded by Mr. Carder and adopted by the following vote:

			Bestpitch,	•	•	•	•	-
and N	layor Sn	nith	 					/,
	NAYS:	None	 					0.

COMMITTEES-ROANOKE ARTS COMMISSION: The Mayor advised that there is a vacancy on the Roanoke Arts Commission, and called for nominations to fill the vacancy.

Mr. Dowe placed in nomination the name of Nelett H. Lor.

There being no further nominations, Ms. Lor was appointed as a member of the Roanoke Arts Commission, for a term ending June 30, 2005, by the following vote:

FOR MS. LOR: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith------7.

Inasmuch as Ms. Lor is not a City resident, Mr. Dowe moved that the City residency requirement be waived. The motion was seconded by Mr. Cutler and unanimously adopted.

Following the formal session of Council, the work session reconvened at 4:50 p.m., in the City Council Chamber, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, with Mayor Smith presiding and all Members of the Council in attendance.

COUNCIL:

ITEMS FOR DISCUSSION AT THE FEBRUARY 4, 2003 COUNCIL/SCHOOL BOARD RETREAT:

The City Manager advised that the facilitator, Lyle Sumek, Lyle Sumek and Associates, Inc., will interview School Trustees on February 3 and obtain Council input thereafter.

Council Member Cutler submitted the following items for discussion:

Budget

Audits

School building renovation/construction schedule

Citizen complaints regarding lack of close oversight resulting in waste of public funds, danger to teachers and students.

Discipline of those responsible for past illegal activities?

Response to those who advocate an elected school board?

Joint administration of fitness facilities.

Joint use of trails and parks (recreation, science teaching, etc.)

Anything to be learned from the experience with the Roman Catholic Archdiocese that has partnered with the County instead of the City at Washington Park? Should the City have handled the matter differently?

Opportunities to share facilities, programs, etc., with neighboring school districts?

Warmer welcome for volunteers?

Another proposed item was a philosophical discussion by Council and the School Board regarding funding issues, in which it was noted that by the time the General Assembly completes the budget, the School Board may be requesting additional funds; therefore, the question becomes, will Council take the same stand that it took with other State budget cuts that were passed down to the affected Constitutional offices and City departments.

In response, the City Manager called attention to discussions with the Superintendent of Schools who has indicated that he will present the proposed fiscal year 2003-04 school budget to the School Board next week. She stated that based upon preliminary budget estimates and primarily upon information from the City's Director of Real Estate Valuation with regard to real estate assessments, local money available to the schools next year represents the largest per cent increase in new money for the school system in a number of years. She noted that the School Superintendent is encouraged with regard to local funding which is based on the formula that was established several years ago. She noted that for fiscal year 2003-04, the City of Roanoke and the position of its school system is favorable, because more funds appear to be available than were originally anticipated, and the school system does not anticipate the level of loss of State funds that was originally envisioned.

The City Manager advised that the issue of elected school boards could surface through the news media; therefore, the topic might be an appropriate item for discussion at the Council/School Board retreat.

There was discussion as to the need for proactive dialogue between Council and School Board members in order to reach an understanding with the School Board that the Members of Council appoint School Trustees and it is inherent that there be some level of accountability back to the Council as the body that is elected by the voters. The City Manager advised that it is important, when appointments are made to the School Board, that Council create that kind of atmosphere and the more Council shares those expectations, the better the relationships will be.

DISCUSSION WITH REGARD TO SCHEDULING OF JOINT MEETINGS OF COUNCIL AND CERTAIN COUNCIL APPOINTED AUTHORITIES, BOARDS, COMMISSIONS AND COMMITTEES:

Comments by the Mayor and Members of Council:

- Meetings should be used productively and not as a time to report on the progress of the committee over the past year.
- For some committees, the joint meetings are perceived as a time for Council to express appreciation for a job well done. If Council Members would agree to attend at least one meeting per year of the City Planning Commission, Board of Zoning Appeals, Architectural Review Board, Roanoke Redevelopment and Housing Authority, Industrial Development Authority and the School Board, the 5:00 p.m. joint meetings could be eliminated.
- Members of the various committees attend the joint meetings with the expectation of receiving direction and clarification from the Council.
- Joint meetings should not be scheduled unless the purpose falls into one of the following categories:

 (1) to present an explanation of an issue or concern;
 (2) to solicit advice from Council; and
 (3) to present new directions proposed to be pursued by the committee and to receive input by Council prior to proceeding.

- Meetings would be more productive if they are held in a more informal type setting, as opposed to a dinner meeting.
- If no Member of Council submits agenda items for discussion, the meeting should be cancelled.

The City Manager pointed out that the problem exists with both the Council and with the various committees, and both groups should share equally in the scheduling of meaningful agenda items. She suggested that the Council consider designating which committees it would like to meet with during the year, the frequency of meetings, and if issues come up during the year that need to be addressed, Council could schedule a joint meeting with the appropriate committee. She further suggested that Council schedule meetings with the City Planning Commission, the Roanoke Redevelopment and Housing Authority and the School Board and meet with other committees as issues arise that need to be addressed. She advised that the 5:00 p.m. time slot may not be the best time to schedule meetings with the various committees, and asked that Council consider the 9:00 a.m. to 2:00 p.m. work session as a time for joint meetings. Another alternative offered by the City Manager was to schedule Council-Appointed boards and commissions for ten minute annual report presentations before the Council which will also give Council the opportunity to express appreciation to committee members for their volunteer work. She called attention to the importance of drawing out and helping committee members to feel comfortable in knowing that being candid is not harmful. It was noted by a Member of Council that there are processes for dealing with "touchy" issues by persons who are trained in the field, and it could be advantageous to explore the process of creative sharing and problem solving.

Following discussion, it was the consensus of Council to schedule the School Board, City Planning Commission and the Roanoke Redevelopment and Housing Authority for joint meetings with Council; as issues arise, meetings can be scheduled with other Council Appointed committees; and annual reports by committees could be presented as a part of the Council work session on the first Monday of each month.

One Member of Council advised that Members of the Alexandria City Council not only receive \$20,000.00 per annum in salary, but each Council Member is assisted by an aide who works 20 hours per week, and, with the growing demands on the time of City Council Members, the topic may be worthy of discussion by a future Council.

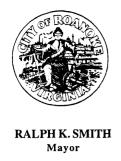
DISCUSSION WITH REGARD TO QUARTERLY MEETINGS OF COUNCIL AND THE ROANOKE COUNTY BOARD OF SUPERVISORS:

The following remarks were offered by the Mayor and Council Members:

- Joint meetings should be held only if there is to be meaningful and productive dialogue and no political grandstanding.
- It would be beneficial to schedule a joint meeting to discuss the progress of joint staffing of fire stations and future steps to be taken, joint parks and recreation efforts, and a regional library system.
- If progress is to be made on the above referenced types of issues, it must start with the two administrations; therefore, it would be advantageous for the City Manager and the County Administrator to work with their respective staffs and at the appropriate time, City Council and the Board of Supervisors could hold a joint meeting to announce results and/or engage in official action.
- The City Manager should advise the County Administrator of the City's interest in meeting with Roanoke County on specific issues and/or to celebrate specific accomplishments, and the City would be interested in hearing any suggestions offered by the Roanoke County Board of Supervisors.

It was the consensus of Council that the City Manager will confer with the Roanoke County Administrator on regional efforts regarding library services, parks and recreation and fire services.

At 5:15 p.m., the Mayor declared the meeting in recess until Friday, January 17, 2003, at 12:00 noon, for the Regional Leadership Summit Luncheon, to be hosted by the City of Roanoke at Center in the Square, One Market Square, S. E., Roanoke, Virginia.



CITY OF ROANOKE OFFICE OF THE MAYOR

215 CHURCH AVENUE, S.W., ROOM 452 ROANOKE, VIRGINIA 24011-1594 TELEPHONE: (540) 853-2444 FAX: (540) 853-1145

February 18, 2003

The Honorable Vice-Mayor and Members of the Roanoke City Council Roanoke, Virginia

Dear Members of Council:

I wish to request a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended.

Sincerely,

Ralph K. Smith

Mayor

RKS:sm



CITY OF ROANOKEOFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building 215 Church Avenue, S.W., Room 364 Roanoke, Virginia 24011-1591 Telephone: (540) 853-2333 Fax: (540) 853-1138 CityWeb: www.roanokegov.com

February 18, 2003

Honorable Ralph K. Smith, Mayor Honorable C. Nelson Harris, Vice Mayor Honorable William D. Bestpitch, Council Member Honorable William H. Carder, Council Member Honorable Alfred T. Dowe, Jr., Council Member Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Encroachment into Public Right-of-Way -

Parking Spaces at 3308 Franklin Road, S. W.,

Tax No. 1300116

Pursuant to the requirements of the Virginia Code, the City of Roanoke is required to hold a public hearing on the proposed encroachment into public right-of-way. This is to request that a public hearing be advertised on the above matter for Council's regular meeting to be held on Monday, March 17, 2003. A full report will be included in the March 17, 2003, agenda material for your consideration.

Respectfully submitted,

Darlene L. Burcham

City Manager

DLB/SEF

c: Mary F. Parker, City Clerk

William M. Hackworth, City Attorney Jesse A. Hall, Director of Finance

Sarah E. Fitton, Engineering Coordinator

February 3, 2003

1. CALL TO ORDER:

The meeting of the Roanoke City Audit Committee was called to order at 1:17 p.m. on Monday, February 3, 2003, with Chair, Linda F. Wyatt, presiding.

The roll was called by Mrs. Powers

Audit Committee

Members Present:

Linda F. Wyatt, Chair

Mayor Ralph K. Smith

Vice-Mayor C. Nelson Harris

William D. Bestpitch Dr. M. Rubert Cutler Alfred T. Dowe, Jr.

Others Present:

Drew Harmon, Municipal Auditor
Darlene L. Burcham, City Manager
William M. Hackworth, City Attorney
Jesse A. Hall. Director of Finance

Ann Shawver, Deputy Director of Finance David Morgan, General Manager, GRTC Chip Holdren, Asst. General Manager, GRTC

Chris Slone, Public Information Officer

T. Douglas McQuade, KPMG R. James Barker, KPMG

Mike Tuck, Assistant Municipal Auditor

Pamela Mosdell, Senior Auditor Kevin Nicholson, Senior Auditor Brian Garber. Senior Auditor

Evelyn Powers. Administrative Assistant

2. BRIEFING KPMG FINANCIAL AUDIT REPORTS:

A. Status of annual financial audit

Mrs. Wyatt recognized Mr. McQuade for comments. Mr. McQuade said that they have substantially completed all audit procedures and financial statements. The reports have not been released due to changes to GRTC's retirement plan. Mr. McQuade said that certain administrative procedures should have taken place with the employees before GRTC made the changes to their retirement plan. Mr. McQuade said that KPMG has received a letter from GRTC's attorney stating the actions that need to take place to make the changes legal. Mr. Morgan stated that GRTC changed their retirement plan from a post tax to a pre tax, and that GRTC is now in the process of allowing the

employees to take the cash value out of the old plan, roll the cash value over into their own IRA account, or transfer the value into the new plan, as required by IRS tax code. KPMG is awaiting resolution of the actions before releasing an opinion and the financial statements. There were no further questions.

3. UNFINISHED BUSINESS:

There was no unfinished business to come before the Committee.

4. NEW BUSINESS:

There was no new business to come before the Committee.

6. ADJOURNMENT:

There being no further business, the meeting was adjourned at 1:28 p.m.

Linda F. Wyatt, Chair

Linda & Wyatt

MINUTES OF ROANOKE CITY AUDIT COMMITTEE

February 3, 2003

1. CALL TO ORDER:

The meeting of the Roanoke City Audit Committee was called to order at 1:16 p.m. on Monday, February 3, 2003, with Chair, Linda F. Wyatt, presiding.

The roll was called by Mrs. Powers

Audit Committee

Members Present: Linda F. Wyatt, Chair

Mayor Ralph K. Smith William D. Bestpitch Dr. M. Rubert Cutler Alfred T. Dowe, Jr.

Others Present: Drew Harmon, Municipal Auditor

Darlene L. Burcham, City Manager William M. Hackworth, City Attorney Jesse A. Hall, Director of Finance

Ann Shawver, Deputy Director of Finance David Morgan, General Manager, GRTC Chip Holdren, Asst. General Manager, GRTC

Chris Slone, Public Information Officer

T. Douglas McQuade, KPMG R. James Barker, KPMG

Mike Tuck, Assistant Municipal Auditor

Pamela Mosdell, Senior Auditor Kevin Nicholson, Senior Auditor Brian Garber, Senior Auditor

Evelyn Powers, Administrative Assistant

2. FINANCIAL KPMG AUDIT REPORTS – JUNE 30, 2002:

- A. City of Roanoke Letter of Recommendations on Procedures and Controls
- B. City of Roanoke Report to the Audit Committee
- C. City of Roanoke Pension Plan Letter to the Pension Committee
- D. City of Roanoke Report of Agreed-Upon Procedures for Enhanced E-911 Service Taxes
- E. City of Roanoke Independent Accountant's Report on Applying Agreed-Upon Procedures

Mrs. Wyatt ordered that the financial KPMG audit reports be received and filed. There were no objections to the order. Mrs. Wyatt recognized Mr. McQuade for comments. Mr. McQuade said that the management letter comment was accounting in nature. He

said that the City has been reporting money from third parties as "recovered costs," instead of revenue. Mr. McQuade states that GASB 34 clarifies how money from third parties should be reported as revenue versus recovered costs. Therefore, KPMG recommends that the City amend its current accounting policy. Mr. Hall, Director of Finance agreed with the recommendation and stated that they are prepared to make the changes to comply with GASB 34.

3. INTERNAL AUDIT REPORT:

A. Cellular Telephones

Mrs. Wyatt ordered that the internal audit report be received and filed. There were no objections to the order. Mrs. Wyatt recognized Mr. Harmon for comments. Mr. Harmon reported that Pamela Mosdell was the in-charge auditor and that any questions from the Committee were welcome. There were no questions from the Committee.

4. UNFINISHED BUSINESS:

There was no unfinished business to come before the Committee.

5. NEW BUSINESS:

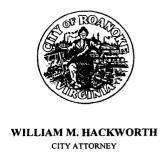
Mrs. Wyatt reported that she had contacted Radford University regarding the possibility of the internal audit department obtaining a student for a summer internship at no cost to the City. Mrs. Wyatt also mentioned that if this works out, the City Manager might want to look at the possibility of a summer internship through Radford University.

6. ADJOURNMENT:

There being no further business, the meeting was adjourned at 1:24 p.m.

Linda F. Wyatt, Chair

Linda F. Wyatt



CITY OF ROANOKE

OFFICE OF CITY ATTORNEY
464 MUNICIPAL BUILDING
215 CHURCH AVENUE, SW
ROANOKE, VIRGINIA 24011-1595

TELEPHONE: 540-853-2431 FAX: 540-853-1221 EMAIL: cityatty@ci.roanoke.va.us ELIZABETH K. DILLON STEVEN J. TALEVI GARY E. TEGENKAMP DAVID L. COLLINS HEATHER P. FERGUSON ASSISTANT CITY ATTORNEYS

February 18, 2003

The Honorable Mayor and Members of City Council Roanoke, Virginia

Re: Request for closed meeting

Dear Mayor Smith and Council Members:

This is to request that City Council convene a closed meeting to discuss the disposition of publicly-owned property pursuant to §2.2-3711.A.3, Code of Virginia (1950), as amended.

Sincerely,

William M. Hackworth City Attorney

William M. Harrows

WMH:f

cc: Darlene L. Burcham, City Manager Jesse A. Hall, Director of Finance

Mary F. Parker, City Clerk



CITY OF ROANOKE

OFFICE OF CITY ATTORNEY
464 MUNICIPAL BUILDING
215 CHURCH AVENUE, SW
ROANOKE, VIRGINIA 24011-1595

TELEPHONE: 540-853-2431 FAX: 540-853-1221 EMAIL: cityatty@ci.roanoke.va.us ELIZABETH K. DILLON STEVEN J. TALEVI GARY E. TEGENKAMP DAVID L. COLLINS HEATHER P. FERGUSON ASSISTANT CITY ATTORNEYS

February 18, 2003

The Honorable Mayor and Members of City Council Roanoke, Virginia

Re: Request for closed meeting

Dear Mayor Smith and Council Members:

This is to request that City Council convene a closed meeting for consultation with legal counsel regarding a specific legal matter requiring the provision of legal advice by such counsel, pursuant to §2.2-3711.A.7, Code of Virginia (1950), as amended.

With kindest personal regards, I am

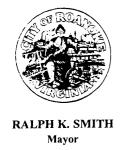
Sincerely yours,

William M. Hackworth

City Attorney

WMH:f

cc: Darlene L. Burcham, City Manager Mary F. Parker, City Clerk



CITY OF ROANOKE

CITY COUNCIL

215 Church Avenue, S.W.
Noel C. Taylor Municipal Building, Room 456
Roanoke, Virginia 24011-1536
Telephone: (540) 853-2541
Fax: (540) 853-1145

February 18, 2003

Council Members: William D. Bestpitch William H. Carder M. Rupert Cutler Alfred T. Dowe, Jr. C. Nelson Harris Linda F. Wyatt

The Honorable Mayor and Members of the Roanoke City Council Roanoke, Virginia

Dear Mayor Smith and Members of Council:

We jointly sponsor a request of the Roanoke Valley Preservation Foundation for endorsement by Council of a resolution recognizing the architectural and historic significance of the Fairacres property located at 2713 Avenham Avenue, S. W., at the regular meeting of City Council on Tuesday, February 18, 2003, at 2:00 p.m.

Sincerely, Willow D. Bespital

William D. Bestpitch Council Member

William H. Carder Council Member

WDB:WHC:sm

pc: Darlene L. Burcham, City Manager



February 11, 2003

Ms. Mary F. Parker Clerk Roanoke City Council 215 Church Avenue, S.W. Room 456 Roanoke, VA 24011

RE: Fairacres

Dear Ms. Parker:

The Roanoke Valley Preservation Foundation requests to be placed on the agenda of the Roanoke City Council meeting scheduled for 2:00 Tuesday, February 18, 2003 under "Petitions and Communications." We are requesting Council's endorsement of a resolution recognizing the architectural and historic significance of the Fairacres property at 2713 Avenham Avenue, S.W. in the City of Roanoke. Council members Bill Bestpitch and Bill Carder have agreed to endorse this request. I will forward a copy of the resolution tomorrow to be included in the Council packets. Thank you for your assistance.

Sincerely,

Alison S. Blanton

Alson 5-Blanton

A RESOLUTION PRESENTED BY THE ROANOKE VALLEY PRESERVATION FOUNDATION IN RECOGNITION OF THE SIGNIFIC ANCE OF FAIRACRES

To be presented to the Roanoke City Council on February 18, 2003

WHEREAS the Roanoke Valley Preservation Foundation was founded in 1985 as a valley-wide non-profit preservation organization for the purpose of promoting the preservation of the historic, natural, and cultural resources of the Roanoke Valley; and

WHEREAS the goals of the Foundation are to promote an awareness of and appreciation for our significant resources, encourage their protection, p ovide technical assistance to achieve their protection, and develop broad-based community support for their preservation; and

WHEREAS the property known as Fairacres at 2713 Aver ham Avenue, S.W. in the City of Roanoke was constructed in 1912 by William C. Stephenson, Sr., a founding citizen of the City and prominent business leader who promoted the development of Roanoke in the early 20th century; and

WHEREAS the Virginia Department of Historic Resource: determined Fairacres eligible for listing on the Virginia Landmarks Register and the Nat onal Register of Historic Places in recognition of its significance in architecture, landscaping, and history as it relates to the Stephenson family and their role in the early development of Roanoke, and

WHEREAS the Foundation recognized Fairacres as a significant resource in the Roanoke Valley that was threatened with demolition by its inclusion in our 2002 Endangered Sites List;



CITY OF ROANOKEOFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building 215 Church Avenue, S.W., Room 364 Roanoke, Virginia 24011-1591 Telephone: (540) 853-2333 Fax: (540) 853-1138 CityWeb: www.roanokegov.com February 18, 2003

Honorable Ralph K. Smith, Mayor Honorable C. Nelson Harris, Vice Mayor Honorable William D. Bestpitch, Council Member Honorable William H. Carder, Council Member Honorable Alfred T. Dowe, Jr., Council Member Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Status Report: Affirmative Action And Diversity Initiatives for Calendar Year 2002

Background:

As one of the largest public employers in the Roanoke Valley, it is important for the City of Roanoke to encourage participation in all employment processes among the diverse population that it serves. With this goal in mind, we are focusing on two diversity related initiatives: increasing the diversity of our workforce and developing the knowledge and skill base needed for success in a diverse work environment. Our success in accomplishing these initiatives will make us to be a better organization and ultimately help us to reach the strategic goals set by City Council.

Efforts at increasing workforce diversity are based on a broad and focused recruitment program. We continue to forge relationships and develop partnerships between City staff, EEO/civil rights organizations, colleges and universities, sororities, fraternities and other groups interested in diversity. I am pleased to report that progress has been made in this area.

Three years ago, four departments under the direction of the City Manager did not employ any persons of color. Now, all departments under the direction of the City Manager employ persons of color. Persons of color have been employed in two key management positions in the past year: Director of General Services and Acting Director of Housing and Neighborhood Services. These hiring decisions,

coupled with the appointments made in other key positions during the past three years, clearly indicate the organization's commitment to hiring the most qualified person for the position from a diverse pool of candidates. (For total employment by department and EEO Categories as of December 31, 2002 see Attachment 1 and 1.a.).

As noted in last year's report, successful implementation of our diversity effort will be based on increasing "diversity capacity" which involves how we treat fellow employees and citizens. It is about understanding and embracing differences, talents and perspectives that are unique. Toward this end, the Human Resources staff has undertaken a number of initiatives to increase diversity capacity. First and foremost, all full time employees have received a day long diversity training session. This important program introduces employees to the subject of diversity and asks participants to carefully evaluate issues of discrimination, differences and commonalities with a focus on building improved relationships. Other training efforts were part of our "Brown Bag, Lunch and Learn" series including a session on working in a multi-generational workforce and the importance of including diversity in developing teams.

Workforce Demographics

Employment data for 2002 shows that 50 of the 195 new hires (25.6 percent) and 17 of the 86 promoted (19.7 percent) were people of color. While this information is not substantially different from last year, 23.4 percent and 25.6 percent respectively, it is important to note that we have doubled (from 5 to 10) the number of new hires who are persons of color in the protective service category. This is still not where we want to be but it is clearly a step in the right direction. Police, Sheriff and Fire/EMS represent 28 percent of our workforce and each of these departments have promotional systems that are substantially closed to outside candidates (as is the case with most comprehensive public safety departments nationally); therefore, if we are to increase the number of women and people of color substantially in these departments, we must do it at the entry level. We are committed to this effort and we will continue to refine our recruiting methods to accomplish our objective. New hires and promotions are detailed by category and department in Attachments 2 and 2.a.

Outreach Recruitment

In May 2002 the Department of Human Resources, in partnership with the Roanoke Branch of the NAACP, sponsored a second Recruitment Day. Out of the 66 attendees, three were ultimately hired. During the event, City staff was available to discuss employment opportunities and to provide advice about resume preparation. While we would like to see more people participate and be hired, we believe that this event will gain momentum and be successful over the long term. Moreover, this event also provides an opportunity for the NAACP and

City staff to continue progressive dialog resulting in improved community relations.

Through the Human Resources Recruiter and our contacts with the NAACP, we are developing more avenues to seek out minority applicants. This year we established relations with Danville Community College, Patrick Henry Community College and North Carolina A&T through on-site visits using staffs from multiple departments. We also participated in a Technology Job Fair in Richmond that was part of the Mid-Eastern Athletic Conference (MEAC) basketball tournament. (The MEAC represents a cross section of historically black colleges and universities). Human Resources also contracted with the Hodes Group, a Human Resources advertising consultant, to develop improved methods to attract a more diverse applicant pool.

The Employee Development Program (EDP), which was implemented during 2001, continues to offer the most promise to help existing employees improve their skills and to advance within the organization. This program incorporates skill assessment, education planning and career counseling. Supporting events included presentations from colleges that have adult degree and accelerated degree programs; coordinated one-on-one meetings between participants and department leaders; and presentations by departments regarding career opportunities. During 2002, the EDP increased from 56 to 87 participants. Of that number, 64 percent are female and 40 percent are people of color compared to 63 percent and 27 percent, respectively, last year. Currently, 11 participants are in formal education programs, 8 attended the Foundations for Leadership Excellence Program and 26 have completed formal development plans.

Staff members from Fire/EMS, Police, the Sheriff's office and Human Resources continue to recruit candidates of color and women at military installations and historically black colleges and universities. On-site tests are conducted, when possible, and overnight accommodations are provided to military candidates who come to Roanoke to test. Public Safety recruitment activities outside of the Roanoke Valley will focus in south-central and southwestern Virginia as well as other economically depressed areas in surrounding states. Military base recruitment will likely slow down due to the potential conflict in the Middle East resulting in less available candidates.

The City of Roanoke continues to co-sponsor This Valley Works Job Fair held every spring at the Roanoke Civic Center. More than 3,400 job applicants attended the fair last year. Our internship program continues to attract high-caliber rising college seniors. Eleven interns were hired last year. Of that number five were persons of color. As part of this program we have forged relationships with the civil engineering programs at Virginia Tech and North Carolina A&T in an effort to place women or persons of color in either a cooperative education arrangement or an internship.

Recruitment initiatives will continue to emphasize building relations with local groups interested in workforce diversity. In addition to the NAACP, representatives from the National Conference for Community and Justice, the Roanoke Regional Refugee Immigration Services office and Pearl Fu have participated in City sponsored diversity events and training.

Next Steps

Clearly, we are making headway in the area of increasing diversity capacity but we need to take the next step, changing diversity capacity from a training or a career development program offered by Human Resources into "diversity: the way that we do business." In a practical sense, we plan to change ownership of diversity from Human Resources to an internal Leadership Diversity Advisory Group. Taking this next step is the way that we plan to make diversity truly part of the City's organizational culture. This effort has already begun. The City's Leadership Team has embraced a new leadership philosophy that specifically incorporates the concept of diversity. This group will also have responsibility for evaluating responses related to diversity on the employee survey conducted by Virginia Tech during the latter part of February. Using survey data as a starting point, the group will work to understand individual and departmental impediments related to diversity, advise training staff, Human Resources and the City Manager concerning diversity programs and policies.

In order to improve the City's ability to recruit more women and people of color, particularly in public safety positions, we will continue to refine our efforts to attract more women and minorities. Using the ideas from an advertising company, coupled with strategies to recruit at different venues, we intend to attract more women and people of color to City employment opportunities.

In conclusion, I believe that we have devised a sound diversity strategy and we are headed in the right direction, particularly in the area of increasing diversity capacity. We have not been as successful as I had hoped in regard to hiring more people of color, yet I understand our own hiring slowdown and a general attitude of "hunkering down" among potential candidates exists in the hiring marketplace today. We must, therefore, continue in every way possible to attract a diverse pool of candidates for City positions.

Respectfully Submitted,

Darlene L. Burcham

City Manager

DLB:kc

c: Jesse A. Hall, Director of Finance William M. Hackworth, City Attorney Mary F. Parker, City Clerk Kenneth S. Cronin, Director of Human Resources

CM03-00030

CITY OF ROANOKE WORKFORCE ANALYSIS by Number of Employees

December 31, 2002

OCCUPATIONAL CATEGORY	TOTAL	WHITE	BLACK	OTHER	WHITE	BLACK	OTHER
		MALES	MALES	MALES	FEMALES	FEMALES	FEMALES
OFFICIALS/MANAGERS	32	21	4	0	5	2	0
PROFESSIONALS	353	107	14	3	165	61	3
TECHNICIANS	322	196	21	3	76	26	0
PROTECTIVE SERVICE	538	420	56	4	42	14	2
PARA-PROFESSIONAL	67	19	7	0	21	20	0
CLERICAL	196	6	5	0	137	47	1
SKILLED CRAFT	132	91	39	0	2	0	0
SERVICE/MAINTENANCE	251	127	99	4	14	7	0
TOTAL	1891	987	245	14	462	177	6
TOTAL PERCENTAGES	100.0%	52.2%	13.0%	0.7%	24.4%	9.4%	0.3%

CITY OF ROANOKE WORKFORCE ANALYSIS by Number of Employees

OCCUPATIONAL CATEGORY	TOTAL	WHITE	BLACK	OTHER	WHITE	BLACK	OTHER
		MALES	MALES	MALES	FEMALES	FEMALES	FEMALES
OFFICIALS/MANAGERS	34	22	3	0	7	2	0
PROFESSIONALS	356	119	15	4	159	57	2
TECHNICIANS	317	197	19	4	. 77	20	0
PROTECTIVE SERVICE	532	4 16	51	5	44	14	2
PARA-PROFESSIONAL	70	21	7	0	22	20	0
CLERICAL	214	6	4	0	150	53	1
SKILLED CRAFT	130	88	41	0	1	0	0
SERVICE/MAINTENANCE	273	137	107	5	15	9	0
TOTAL NUMBER	1926	1006	247	18	475	175	5
TOTAL PERCENTAGES	100.0%	52.2%	12.8%	0.9%	24.7%	9.1%	0.3%

CITY OF ROANOKE WORKFORCE ANALYSIS by Category and Percent

December 31, 2002

OCCUPATIONAL CATEGORY	TOTAL	WHITE MALES	BLACK MALES	OTHER MALES	WHITE FEMALES	BLACK FEMALES	OTHER FEMALES
OFFICIALS/MANAGERS	100.0%	65.6%	12.5%	0.0%	15.6%	6.3%	0.0%
PROFESSIONALS	100.0%	30.3%	4.0%	0.8%	46.7%	17.3%	0.8%
TECHNICIANS	100.0%	60.9%	6.5%	0.9%	23.6%	8.1%	0.0%
PROTECTIVE SERVICE	100.0%	78.1%	10.4%	0.7%	7.8%	2.6%	0.4%
PARA-PROFESSIONAL	100.0%	28.4%	10.4%	0.0%	31.3%	29.9%	0.0%
CLERICAL	100.0%	3.1%	2.6%	0.0%	69.9%	24.0%	0.5%
SKILLED CRAFT	100.0%	68.9%	29.5%	0.0%	1.5%	0.0%	0.0%
SERVICE/MAINTENANCE	100.0%	50.6%	39.4%	1.6%	5.6%	2.8%	0.0%
TOTAL PERCENTAGES	100.0%	52.2%	13.0%	0.7%	24.4%	9.4%	0.3%

CITY OF ROANOKE WORKFORCE ANALYSIS by Category and Percent

OCCUPATIONAL CATEGORY	TOTAL	WHITE MALES	BLACK MALES	OTHER MALES	WHITE FEMALES	BLACK FEMALES	OTHER FEMALES
OFFICIALS/MANAGERS	100.0%	64.7%	8.8%	0.0%	20.6%	5.9%	0.0%
PROFESSIONALS	100.0%	33.4%	4.2%	1.1%	44.7%	16.0%	0.6%
TECHNICIANS	100.0%	62.1%	6.0%	1.3%	24.3%	6.3%	0.0%
PROTECTIVE SERVICE	100.0%	78.2%	9.6%	0.9%	8.3%	2.6%	0.4%
PARA-PROFESSIONAL	100.0%	30.0%	10.0%	0.0%	31.4%	28.6%	0.0%
CLERICAL	100.0%	2.8%	1.9%	0.0%	70.1%	24.8%	0.5%
SKILLED CRAFT	100.0%	67.7%	31.5%	0.0%	0.8%	0.0%	0.0%
SERVICE/MAINTENANCE	100.0%	50.2%	39.2%	1.8%	5.5%	3.3%	0.0%
TOTAL PERCENTAGES	100.0%	52.2%	12.8%	0.9%	24.7%	9.1%	0.3%

CITY OF ROANOKE NEW HIRE ANALYSIS by Number of Employees

December 31, 2002

OCCUPATIONAL CATEGORY	TOTAL	WHITE MALES	BLACK MALES	OTHER MALES	WHITE FEMALES	BLACK FEMALES	OTHER FEMALES
OFFICIALS/MANAGERS	5	4	1	0	0	0	0
PROFESSIONALS	42	6	2	0	24	9	1
TECHNICIANS	25	11	0	0	9	4	1
PROTECTIVE SERVICE	55	39	10	0	6	0	0
PARA-PROFESSIONAL	6	1	0	0	3	2	0
CLERICAL	17	1	1	0	13	2	0
SKILLED CRAFT	8	6	2	0	0	0	0
SERVICE/MAINTENANCE	37	19	14	0	3	1	0
TOTAL NUMBER	195	87	30	0	58	18	2
TOTAL PERCENTAGES	100.00%	44.60%	15.40%	0.00%	29.70%	9.20%	1.00%

CITY OF ROANOKE NEW HIRE ANALYSIS by Number of Employees

OCCUPATIONAL CATEGORY	TOTAL	WHITE	BLACK	OTHER	WHITE	BLACK	OTHER
		MALES	MALES	MALES	FEMALES	FEMALES	FEMALES
OFFICIALS/MANAGERS	2	1	0	0	0	1	0
PROFESSIONALS	53	7	3	0	33	10	0
TECHNICIANS	33	18	2	0	11	2	0
PROTECTIVE SERVICE	63	53	5	0	5	0	0
PARA-PROFESSIONAL	9	0	2	0	4	3	0
CLERICAL	30	0	1	0	18	11	0
SKILLED CRAFT	7	6	1	0	0	0	0
SERVICE/MAINTENANCE	50	29	16	1	4	0	0
TOTAL NUMBER	247	114	30	1	75	27	0
TOTAL PERCENTAGES	100.00%	46.20%	12.10%	0.40%	30.40%	10.90%	0.00%

CITY OF ROANOKE NEW HIRE ANALYSIS by Category and Percent

December 31, 2002

OCCUPATIONAL CATEGORY	TOTAL	WHITE MALES	BLACK MALES	OTHER MALES	WHITE FEMALES	BLACK FEMALES	OTHER FEMALES
OFFICIALS/MANAGERS	100.0%	80.0%	20.0%	0.0%	0.0%	0.0%	0.0%
PROFESSIONALS	100.0%	14.3%	4.8%	0.0%	57.1%	21.4%	2.4%
TECHNICIANS	100.0%	44.0%	0.0%	0.0%	36.0%	16.0%	4.0%
PROTECTIVE SERVICE	100.0%	70.9%	18.2%	0.0%	10.9%	0.0%	0.0%
PARA-PROFESSIONAL	100.0%	16.7%	0.0%	0.0%	50.0%	33.3%	0.0%
CLERICAL	100.0%	5.9%	5.9%	0.0%	76.5%	11.8%	0.0%
SKILLED CRAFT	100.0%	75.0%	25.0%	0.0%	0.0%	0.0%	0.0%
SERVICE/MAINTENANCE	100.0%	51.4%	37.8%	0.0%	8.1%	2.7%	0.0%
TOTAL NUMBER	195	87	58	30	18	0	2
TOTAL PERCENTAGES	100.0%	44.6%	29.7%	15.4%	9.2%	0.0%	1.0%

CITY OF ROANOKE NEW HIRE ANALYSIS by Category and Percent

OCCUPATIONAL CATEGORY	TOTAL	WHITE MALES	BLACK MALES	OTHER MALES	WHITE FEMALES	BLACK FEMALES	OTHER FEMALES
OFFICIALS/MANAGERS	100.0%	50.0%	0.0%	0.0%	0.0%	50.0%	0.0%
PROFESSIONALS	100.0%	13.2%	5.7%	0.0%	62.3%	18.9%	0.0%
TECHNICIANS	100.0%	54.5%	6.1%	0.0%	33.3%	6.1%	0.0%
PROTECTIVE SERVICE	100.0%	84.1%	7.9%	0.0%	7.9%	0.0%	0.0%
PARA-PROFESSIONAL	100.0%	0.0%	22.2%	0.0%	44.4%	33.3%	0.0%
CLERICAL	100.0%	0.0%	3.3%	0.0%	60.0%	36.7%	0.0%
SKILLED CRAFT	100.0%	85.7%	14.3%	0.0%	0.0%	0.0%	0.0%
SERVICE/MAINTENANCE	100.0%	58.0%	32.0%	2.0%	8.0%	0.0%	0.0%
TOTAL NUMBER	247	114	30	1	75	27	0
TOTAL PERCENTAGES	100.0%	46.2%	12.1%	0.4%	30.4%	10.9%	0.0%

CITY OF ROANOKE PROMOTION ANALYSIS by Number of Employees

December 31, 2002

OCCUPATIONAL CATEGORY	TOTAL	WHITE	BLACK		OTHER	WHITE	BLACK	OTHER
		MALES	MALES		MALES	FEMALES	FEMALES	FEMALES
OFFICIALS/MANAGERS	2	•	1	0	0	1	0	0
PROFESSIONALS	18	-	7	0	0	10	1	0
TECHNICIANS	21	-	7	3	0	9	2	0
PROTECTIVE SERVICE	5	(3	2	0	0	0	0
PARA-PROFESSIONAL	3	()	0	0	1	2	0
CLERICAL	7	()	0	0	6	1	0
SKILLED CRAFT	15	11	l	2	1	1	0	0
SERVICE/MAINTENANCE	15	10)	3	0	2	0	0
TOTAL NUMBER	86	39	•	10	1	30	6	0
TOTAL PERCENTAGES	100.0%	45.3%	11.6	%	1.2%	34.9%	7.0%	0.0%

CITY OF ROANOKE PROMOTION ANALYSIS by Number of Employees

December 31, 2001

OCCUPATIONAL CATEGORY	TOTAL	WHITE	BLACK	OTHER	WHITE	BLACK	OTHER
		MALES	MALES	MALES	FEMALES	FEMALES	FEMALES
OFFICIALS/MANAGERS	1	1	0	0	0	0	0
PROFESSIONALS	27	9	3	1	10	4	0
TECHNICIANS	20	14	0	0	5	1	0
PROTECTIVE SERVICE	10	6	3	0	1	0	0
PARA-PROFESSIONAL	1	1	0	0	0	0	0
CLERICAL	9	0	0	0	7	2	0
SKILLED CRAFT	6	3	3	0	0	0	0
SERVICE/MAINTENANCE	8	4	3	0	0	1	0
TOTAL NUMBER	82	38	12	1	23	8	0
TOTAL PERCENTAGES	100.0%	46.3%	14.6%	1.2%	28.0%	9.8%	0.0%

CITY OF ROANOKE PROMOTION ANALYSIS by Category and Percent

December 31, 2002

OCCUPATIONAL CATEGORY	TOTAL	WHITE MALES	BLACK MALES	OTHER MALES	WHITE FEMALES	BLACK FEMALES	OTHER FEMALES
OFFICIALS/MANAGERS	100.0%	50.0%	0.0%	0.0%	50.0%	0.0%	0.0%
PROFESSIONALS	100.0%	38.9%	0.0%	0.0%	55.6%	5.6%	0.0%
TECHNICIANS	100.0%	33.3%	14.3%	0.0%	42.9%	9.5%	0.0%
PROTECTIVE SERVICE	100.0%	60.0%	40.0%	0.0%	0.0%	0.0%	0.0%
PARA-PROFESSIONAL	100.0%	0.0%	0.0%	0.0%	33.3%	66.7%	0.0%
CLERICAL	100.0%	0.0%	0.0%	0.0%	85.7%	14.3%	0.0%
SKILLED CRAFT	100.0%	73.3%	13.3%	6.7%	6.7%	0.0%	0.0%
SERVICE/MAINTENANCE	100.0%	66.7%	20.0%	0.0%	13.3%	0.0%	0.0%
TOTAL NUMBER	86	39	10	1	30	6	0
TOTAL PERCENTAGES	100.0%	45.3%	11.6%	1.2%	34.9%	7.0%	0.0%

CITY OF ROANOKE PROMOTION ANALYSIS by Category and Percent

December 31, 2001

OCCUPATIONAL CATEGORY	TOTAL	WHITE	BLACK	OTHER	WHITE	BLACK	OTHER
		MALES	MALES	MALES	FEMALES	FEMALES	FEMALES
OFFICIALS/MANAGERS	100.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
PROFESSIONALS	100.0%	33.3%	11.1%	3.7%	37.0%	14.8%	0.0%
TECHNICIANS	100.0%	70.0%	0.0%	0.0%	25.0%	5.0%	0.0%
PROTECTIVE SERVICE	100.0%	60.0%	30.0%	0.0%	10.0%	0.0%	0.0%
PARA-PROFESSIONAL	100.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
CLERICAL	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
SKILLED CRAFT	100.0%	50.0%	50.0%	0.0%	0.0%	0.0%	0.0%
SERVICE/MAINTENANCE	100.0%	50.0%	37.5%	0.0%	0.0%	12.5%	0.0%
TOTAL NUMBER	82	38	12	1	23	8	0
TOTAL PERCENTAGES	100.0%	46.3%	14.6%	1.2%	28.0%	9.8%	0.0%



CITY OF ROANOKEOFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building 215 Church Avenue, S.W., Room 364 Roanoke, Virginia 24011-1591 Telephone: (540) 853-2333 Fax: (540) 853-1138 CityWeb: www.roanokegov.com

February 18, 2003

Honorable Ralph K. Smith, Mayor, and Members of City Council Roanoke, Virginia

Dear Mayor Smith and Members of Council:

Subject:

Adopt a Council Resolution to Correct Workers' Compensation Supplemental Pay Inequities

CM03-0031

This is to request space on Council's regular agenda for a report on the above referenced subject.

Respectfully submitted,

Darlene L. Burcham

City Manager

DLB:sm

c:

City Attorney City Clerk

Director of Finance



CITY OF ROANOKEOFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building 215 Church Avenue, S.W., Room 364 Roanoke, Virginia 24011-1591 Telephone: (540) 853-2333 Fax: (540) 853-1138 CityWeb: www.roanokegov.com February 18, 2003

Honorable Ralph K. Smith, Mayor Honorable C. Nelson Harris, Vice Mayor Honorable William D. Bestpitch, Council Member Honorable William H. Carder, Council Member Honorable Alfred T. Dowe, Jr., Council Member Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Outdoor Dining - Fees

Background:

On April 1, 2002 City Council adopted Ordinance No. 35792-040102 to provide for an outdoor dining permit program and amended the Fee Compendium. The fees per square foot of area approved for outdoor dining were as follows: \$6.50 per square foot for 2002; \$7.00 per square foot for 2003; and \$8.00 per square foot for 2004. Concerns about the fee structure limited applicants' interest in applying for an outdoor dining permit and were addressed when City Council reduced the fees to \$3.25 per square foot in Ordinance No. 35943-061702 June 17, 2002. In an effort to again provide an incentive for restaurants to apply for outdoor dining permits, a reduction in fees for calendar year 2003 is recommended.

Recommendation:

City Council amend the Fee Compendium so that the original fee of \$7.00 per square foot is reduced to \$3.25 per square foot for calendar year 2003, with a minimum three-month commitment from the applicant, with the permit fee for calendar year 2004 being reconsidered and established by City Council at a later date as it deems appropriate.

Respectfully submitted,

Darlene L. Burcham

City Manager

DLB/RKB/gpe

C: Jesse A. Hall, Director of Finance William M. Hackworth, City Attorney Mary F. Parker, City Clerk David Diaz, President, DRI

CM03-00032

3/3/03

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE directing amendment of the Fee Compendium to establish the fee for outdoor dining permits for calendar year 2003; and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke, as follows:

- 1. The Fee Compendium of the City, maintained by the Director of Finance and authorized and approved by City Council by Resolution No. 32412-032795, adopted March 27, 1995, effective as of that date, as amended, shall be amended to establish the outdoor dining permit fee to be \$3.25 per square foot of space permitted by the City Manager for calendar year 2003, with the permit fee for calendar year 2004 to be reconsidered and established by City Council at a later date as it deems appropriate, as set forth in the letter dated February 18, 2003, from the City Manager to this Council.
- 2. Pursuant to §12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:



CITY OF ROANOKEOFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building 215 Church Avenue, S.W., Room 364 Roanoke, Virginia 24011-1591 Telephone: (540) 853-2333 Fax: (540) 853-1138 CityWeb: www.roanokegov.com

February 18, 2003

Honorable Ralph K. Smith, Mayor Honorable C. Nelson Harris, Vice Mayor Honorable William D. Bestpitch, Council Member Honorable William H. Carder, Council Member Honorable M. Rupert Cutler, Council Member Honorable Alfred T. Dowe, Jr., Council Member Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Elm Avenue and I-581

Interchange Study

Over the past two years, representatives from both the City of Roanoke and the Virginia Department of Transportation (VDOT) have met to evaluate how to best provide access to the planned Riverside Centre for Research and Technology (RCRT) which includes the Carilion Bio-Medical Institute. Roanoke's proposed solution to providing this access was an off-ramp from southbound US 220 that intersected at Jefferson Street and Reserve Avenue, with a corresponding northbound on-ramp from that point to US 220.

In the summer of 2002, VDOT shared with Roanoke its analysis of how these ramps would relate to the proposed I-73 interchange at I581/US220. VDOT's analysis concluded that Roanoke's access plan could not be recommended for construction based upon problems with interchange spacing, cost, and phasing. Consequently, VDOT developed other alternatives such as a smaller more direct connection to US 220 from Franklin Road, which was recently shared with City Council. VDOT is also now evaluating the potential modification of the existing Wonju Street interchange to enhance the access to RCRT.

A Member of City Council suggested we revisit the issues involving the interchange at Elm Avenue and its connection with Williamson Road and Jefferson Street to serve as a primary access to RCRT. An evaluation of this interchange should include the identification of the likely interchange design that will be needed in the long range future and consider potential interim modifications that might improve the interchange operations to meet the current needs of this area. To this end, staff is preparing to issue requests for proposals from firms that could adequately review these issues and offer guidance in this regard.

Recommended Action(s):

Appropriate \$100,000 from the Streets & Bridges Capital Improvement Reserve (008-052-9575-9181) into a new account to be entitled Elm Avenue and I-581 Interchange Study.

Respectfully submitted,

City Manager

DLB/KHK/gpe

c:

Mary F. Parker, City Clerk William M. Hackworth, City Attorney Jesse A. Hall, Director of Finance

Barry L. Key, Director of Management and Budget Robert K. Bengtson, P.E., Director of Public Works

Kenneth H. King, P.E., Manager, Division of Transportation

CM03-00037



AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Capital Projects Fund Appropriations, and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2002-2003 Capital Projects Fund Appropriations be, and the same are hereby, amended and reordained to read as follows, in part:

Appropriations

Stree	ts and Bridges			\$ 26,114,907
Elm	Avenue and I-581 Intercha	ange Study (1)		100,000
Capit	al Improvement Revenue			\$ 415,749
Сар	ital Improvement Reserve	(2)		415,749
1)	Appropriated from			
	General Revenue	(008-530-9813-9003)	\$ 100,000	
2)	Streets and Bridges	(008-052-9575-9181)	(100,000)	

Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:



CITY OF ROANOKEOFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building 215 Church Avenue, S.W., Room 364 Roanoke, Virginia 24011-1591 Telephone: (540) 853-2333 Fax: (540) 853-1138 CityWeb: www.roanokegov.com

February 18, 2003

Honorable Ralph K. Smith, Mayor Honorable C. Nelson Harris, Vice Mayor Honorable William D. Bestpitch, Council Member Honorable William H. Carder, Council Member Honorable M. Rupert Cutler, Council Member Honorable Alfred T. Dowe, Jr., Council Member Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Transfer of Funds For Snow Removal

Agencies responsible for snow removal operations are experiencing a heavier demand on snow removal resources than in previous years. The Virginia Department of Transportation (VDOT) recently announced that they had already spent \$42 of their \$48 million dollars budgeted for snow removal at the end of January 2003. VDOT is taking steps to redirect additional funds to support snow removal operations.

Likewise, the City's budgeted amount of \$208,328 has been effectively depleted and salt supplies have been reduced as well. The City's 6,000 ton salt storage has been reduced to 1,000 tons (moderate storms can require up to 1,000 tons of salt). Another shipment of an additional 900 tons of salt should be received later this week, but additional funding is needed to replenish the salt supply and fund other snow removal expenses. This funding will allow additional salt to be ordered to create a salt stockpile capable of fighting 2-3 moderate storms and will establish sufficient funding to replenish these supplies if the current trend of winter weather continues. Total funding for chemicals would allow for the purchase of up to 2,470 tons of salt based on a purchase price of \$60 per ton.

Mayor Smith and Members of City Council February 18, 2003 Page 2 of 2

Recommended Action(s):

Transfer \$250,000 from accounts 001-530-4110-1002 (\$85,000), 001-530-4160-1002 (\$50,000) and 001-300-9410-2199 (\$115,000) to the Snow Removal Account (001-530-4140 as follows:

1003	Overtime Wages	\$ 59,818
1120	FICA	\$ 4,576
2010	Fees for Professional Services	\$ 14,500
2035	Expendable Equipment	\$ 15,000
2038	Motor Fuels & Lubricants	\$ 7,808
2045	Chemicals	\$148,298

Respectfully submitted,

Darlene L. Burcham

City Manager

DLB/KHK/gpe

C: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Barry L. Key, Director of Management and Budget
Robert K. Bengtson, P.E., Director of Public Works
Kenneth H. King, P.E., Manager, Division of Transportation

CM03-00041



IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to amend and reordain certain sections of the 2002-2003 General Fund Appropriations, and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2002-2003 General Fund Appropriations be, and the same are hereby, amended and reordained to read as follows, in part:

Appropriations

Public Works			\$ 25,098,485
Transportation-Snow Remova	al (1-6)		517,683
Transportation-Streets and Tr			3,988,162
Transportation-Engineering a			1,280,374
Nondepartmental			\$ 75,056,766
Contingency-General Fund (9	9)		1,314,194
1) Overtime Wages	(001-530-4140-1003)	\$ 59,818	
2) FICA	(001-530-4140-1120)	4,576	
3) Fees For			
Professional Services	(001-530-4140-2010)	14,500	
4) Expendable Equipment	(001-530-4140-2035)	15,000	
5) Motor Fuels			
and Lubricants	(001-530-4140-2038)	7,808	
6) Chemicals	(001-530-4140-2045)	148,298	
7) Regular Employee			
Salaries	(001-530-4110-1002)	(85,000)	
8) Regular Employee			
Salaries	(001-530-4160-1002)	(50,000)	
9) Contingency	(001-300-9410-2199)	(115,000)	

Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:



CITY OF ROANOKEOFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building 215 Church Avenue, S.W., Room 364 Roanoke, Virginia 24011-1591 Telephone: (540) 853-2333 Fax: (540) 853-1138 CityWeb: www.roanokegov.com

February 18, 2003

Honorable Ralph K. Smith, Mayor Honorable C. Nelson Harris, Vice Mayor Honorable William D. Bestpitch, Council Member Honorable William H. Carder, Council Member Honorable M. Rupert Cutler, Council Member Honorable Alfred T. Dowe, Jr., Council Member Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject:

Funding for Fifth District Employment and Training Consortium Welfare to Work Grant

Background:

The City of Roanoke is the grant recipient and fiscal agent for the Fifth District Employment and Training Consortium (FDETC), which encompasses the counties of Alleghany, Botetourt, Craig, Franklin and Roanoke as well as the cities of Covington, Roanoke, and Salem.

City Council must appropriate the funding for all grants and other monies the FDETC receives.

The FDETC has received notice of an award of Governor's Discretionary 15% Funds of \$82,072.00 from the Virginia Department of Social Services. These funds are to be used to provide services to clients enrolled in the Welfare to Work Program. These funds are to be used for program costs only and are available through June 30, 2004.

Consideration:

Program Operations - Existing activities such as job placement assistance, support services (child care, transportation) and occupational skills training will continue, and planned programs such as continuing existing services and enrolling new clients will be implemented. We will be targeting residents of the surrounding areas with these funds.

Honorable Mayor and Members of Council February 18, 2003 Page 2

Funding - Funds are available from the Grantor agency and other sources as indicated, at no additional cost to the City.

Timing - Immediate action will allow activities to be implemented and completed within planned time frames, January 1, 2003 through June 30, 2004.

Recommended Action:

Appropriate the FDETC's funding totaling \$82,072 and increase the revenue estimate by \$82,072 in accounts to be established in the Consortium fund by the Director of Finance.

Respectfully submitted,

Darlene L. Burcham City Manager

DLB:tem

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Rolanda A. Russell, Assistant City Manager for Community Development
Glenn D. Radcliffe, Director of Human Services

#CM03-00028



IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Fifth District Employment and Training Consortium Fund Appropriations, and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2002-2003 Fifth District Employment and Training Consortium Fund Appropriations be, and the same are hereby, amended and reordained to read as follows, in part:

Appropriations

Fifth District Employment and Training Consortium Welfare to Work Grant (1-12)					3,990,244 82,072
Revenues					
Fifth District Employment and Train Welfare to Work Grant (13)				\$	3,990,244 82,072
1) Temporary Employees	(034-633-2394-8049)	\$	20,250		
2) Wages	(034-633-2394-8050)	•	15,150		
3) Fringes	(034-633-2394-8051)		3,850		
4) Travel	(034-633-2394-8052)		1,250		
5) Communication	(034-633-2394-8053)		1,800		
6) Supplies	(034-633-2394-8055)		1,175		
7) Insurance	(034-633-2394-8056)		2,250		
8) Program Leases	(034-633-2394-8057)		7,000		
9) Miscellaneous	(034-633-2394-8060)		3,147		
10) Support Services	(034-633-2394-8461)		5,500		
11) Training	(034-633-2394-8500)		8,500		
12) Subsidized Wages	(034-633-2394-8502)		12,200		
13) Welfare to Work Grant	(034-633-2394-2394)		82,072		

	Pursuant	to the provisi	ons of Sec	ction 12	of the City	Charter,	the second	reading
of this or	dinance by	title is hereb	y dispens	ed with.				

ATTEST:

CITY OF ROANOKE OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building 215 Church Avenue, S.W., Room 364 Roanoke, Virginia 24011-1591 Telephone: (540) 853-2333 Fax: (540) 853-1138 CityWeb: www.roanokegov.com

February 18, 2003

Honorable Ralph K. Smith, Mayor Honorable C. Nelson Harris, Vice Mayor Honorable William D. Bestpitch, Council Member Honorable William H. Carder, Council Member Honorable Alfred T. Dowe, Jr., Council Member Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject:

Roanoke Homeless Assistance Team (HAT) Grant Renewal from the U. S. Department of Housing and Urban Development (HUD)

Background:

The plight of homeless individuals and families has been at the forefront of the community's attention for more than a decade. The number of homeless persons relying on local services has increased. Currently the Homeless Assistance Team (HAT) provides outreach and limited case management services to the homeless. The 2002 Winter survey conducted by the Roanoke Valley Task Force on Homelessness identified 327 homeless individuals residing in shelters or on the streets of Roanoke.

Based on Roanoke's 2002 Continuum of Care application, the Roanoke Homeless Assistance Team Renewal was funded for a total of \$413,006 for a three-year period beginning February 1, 2003.

Recommended Action(s):

A. Authorize the City Manager to accept the Roanoke Homeless Assistance Team Renewal Grant Award in the amount of \$413,006 from the U. S. Department of Housing and Urban Development and execute the required grant documents on behalf of the City.

Honorable Mayor and Members of Council February 18, 2003 Page 2

- B. Authorize the City Manager to execute documents associated with implementation of this grant renewal.
- C. Appropriate \$413,006 Supportive Housing Funds as outlined in Attachment "A" with a corresponding revenue estimate in an account established by the Director of Finance in the Grant Fund.

Respectfully submitted

Darlene L. Burcham City Manager

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Rolanda B. Russell, Assistant City Manager for Community Development
Glenn D. Radcliffe, Director of Human Services

#CM03-00035

Cir.

AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2002-2003 Grant Fund Appropriations be, and the same are hereby, amended and reordained to read as follows, in part:

Appropriations

Heal Ho		\$ 4,232,595 413,006		
Rev	<u>enues</u>			
	th and Welfare meless Assistance Grant 2/03 -	· 1/06 (18)		\$ 4,232,595 413,006
1) 2)	Regular Employee Salaries Temporary	(035-630-5240-1002)	\$279,004	
-,	Employee Wages	(035-630-5240-1004)	16,843	
3)	FICA	(035-630-5240-1120)	19,347	
,	Medical Insurance	(035-630-5240-1125)	29,106	
5)	Dental Insurance	(035-630-5240-1126)	1,896	
6 <u>)</u>	Telephone	(035-630-5240-2020)	8,001	
7)	Telephone-Cellular	(035-630-5240-2021)	5,001	
8)	Administrative Supplies	(035-630-5240-2030)	1,000	
9)	Expendable Equipment			
	< \$5,000	(035-630-5240-2035)	500	
10)	Motor Fuels			
	and Lubricants	(035-630-5240-2038)	1,500	
11)	<u> </u>			
	and Development	(035-630-5240-2044)	200	
12)	•			
	Vehicle Maintenance	(035-630-5240-2054)	200	
13)	•	(035-630-5240-2066)	44,936	
14)	Postage	(035-630-5240-2160)	200	
15)		(035-630-5240-7010)	1,672	
16)	Management Services	(035-630-5240-7015)		
17)	Fleet Management	(035-630-5240-7025)	1,100	
18)	Homeless Assistance	(035-630-5240-5199)	413,006	

Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

H

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION authorizing the acceptance of the Roanoke Homeless Assistance

Team Renewal Grant Award from the United States Department of Housing and Urban

Development to provide outreach and limited case management services to the homeless; and

authorizing the execution of the necessary documents.

BE IT RESOLVED by the Council of the City of Roanoke that:

1. The City of Roanoke hereby accepts the Roanoke Homeless Assistance Team

Renewal Grant Award from the United States Department of Housing and Urban

Development, in the amount of \$413,006.00 to provide outreach and limited case

management services to the homeless, and as more particularly set forth in the February 18,

2003, letter of the City Manager to this Council.

2. The City Manager is hereby authorized to execute any and all requisite

documents, including any documents providing for indemnification by the City as are

required for the City's acceptance of this grant, upon form approved by the City Attorney,

and to furnish such additional information as may be required in connection with the City's

acceptance of this grant.

ATTEST:

Architectural Review Board Board of Zoning Appeals Planning Commission

CITY OF ROANOKE PLANNING BUILDING AND DEVELOPMENT

215 Church Avenue, S.W., Room 166 Roanoke, Virginia 24011 Telephone: (540) 853-1730 Fax: (540) 853-1230 E-mail: planning@ci.roanoke.va.us

February 18, 2003

Honorable Ralph K. Smith, Mayor Honorable C. Nelson Harris, Vice Mayor Honorable William D. Bestpitch, Council Member Honorable William H. Carder, Council Member Honorable Alfred T. Dowe, Jr., Council Member Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: 2002 Annual Report Planning Commission

I am pleased to provide Council with the following information on the Commission's activities and attendance last year, as well as a brief overview of the major work projects we hope to undertake during 2003.

Last year the Commission officially met 14 times to consider the following items:

- ✓ 20 requests to rezone property or amend proffered conditions
- √ 19 street and/or alley closure requests
- ✓ 4 amendments to the City's zoning ordinance
- ✓ 1 comprehensive development plan review for the stadium/amphitheatre site
- ✓ 1 review of public facilities for conformity with the Comprehensive Plan (First Tee Golf Program), and
- 6 amendments to the Comprehensive Plan (Southern Hills, Belmont-Fallon, Old Southwest, Peters Creek North, Loudon-Melrose/Shenandoah West, Outlook Roanoke)

The major work effort of the Commission and staff last year centered around the development and implementation of the Neighborhood Design District. Zoning Ordinance regulations were developed and adopted, and the initial application of those regulations was in the Melrose-Rugby neighborhood. During the six month process, numerous meetings were held with citizen groups and other stakeholders.

In addition to plans reviewed and forwarded to City Council, neighborhood plans were initiated for the Gilmer, Hurt Park/Mountain View/West End, and Washington Park/Harrison areas. These plans should be forthcoming in the next few months for public hearing and adoption. It is the Commission's and staff's goal to have all neighborhood plans undertaken and completed by summer of 2004.

The Commission's major goal for 2003 is the adoption of a new Zoning Ordinance, which was last revised in 1987. The Commission's Ordinance and Names Committee will be active in the review of the new ordinance in support of a citizen-based task force which is working closely with staff and its consultants on the effort.

In addition to completing the Zoning Ordinance, the Commission will continue to monitor progress in implementing the initiatives and strategies set forth in *Vision 2001-2020*. Commission members are particularly interested in working to pursue initiatives related to new housing development, village centers, redevelopment of underutilized commercial and industrial areas, and integration of city design principles for new development.

A roster of meeting attendance and the status of certifications of Commission members is attached to this report for your information.

Respectfully submitted,

Robert B. Manetta, Chairman

Robert Manetter,

City of Roanoke Planning Commission

/mpf attachment

cc: Darlene L. Burcham, City Manager

Rolanda Russell, Assistant City Manager for Community Development

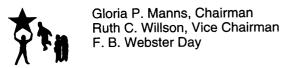
William M. Hackworth, City Attorney

Mary F. Parker, City Clerk

MEETING ATTENDANCE/CERTIFICATION

A total of 12 regular and 2 special meetings were held by the Planning Commission during 2002.

Commission Member	No. of Meetings Attended
Gilbert Butler (Certified)	12
Wayne Campbell	12
Kent Chrisman (Certified)	14
Melvin Hill (Certified)	13
Robert Manetta (Certification pending)	13
Richard Rife	14
Frederick Williams (appointed 7/02,	6 of 7
Certification pending	g)



Marsha W. Ellison William H. Lindsey Melinda J. Payne Robert J. Sparrow E. Wayne Harris, Ed.D., Superintendent Cindy H. Lee, Clerk of the Board

Roanoke

City School Board P.O. Box 13145, Roanoke, Virginia 24031 • 540-853-2381 • Fax: 540-853-2951

February 18, 2003

The Honorable Ralph K. Smith, Mayor and Members of Roanoke City Council Roanoke, VA 24011

Dear Members of Council:

As the result of official School Board action at its February 11 meeting, the Board respectfully requests City Council to approve the following appropriations:

- \$15,669.00 for the Refugee School Impact Grant to provide services for 146
 refugee students in the Schools by supplementing regular classroom
 instructional materials, translating important school documents, providing
 interpreter services, providing after-school tutorial sessions, and providing
 additional staff development opportunities for ELL and core content teachers.
 This continuing grant program is one hundred percent reimbursed by federal
 funds.
- \$42,757.00 from the Capital Maintenance and Equipment Replacement Funds for the replacement of musical instruments, the replacement of administrative technology equipment, the replacement of facility maintenance and custodial equipment, and handicap access modifications at William Fleming High School.

The School Board appreciates your approval of this request.

Sincerely.

Cindy H. Lee, Clerk

re

cc: Mrs. Gloria P. Manns

Dr. E. Wayne Harris

Mr. Richard L. Kelley

Mr. Kenneth F. Mundy

Mr. William L. Murray

Mrs. Darlene Burcham

Mr. William M. Hackworth

Mr. Jesse A. Hall

Mr. Jim Wells (with accounting details)



CITY OF ROANOKE DEPARTMENT OF FINANCE

215 Church Avenue, S.W., Room 461 P.O. Box 1220 Roanoke, Virginia 24006-1220 Telephone: (540) 853-2821 Fax: (540) 853-6142

ANN H. SHAWVER

Deputy Director email: ann_shawver@ci.roanoke.va.us

JESSE A. HALL
Director of Finance
email: jesse_hall@ci.roanoke.va.us

February 18, 2003

The Honorable Ralph K. Smith, Mayor

The Honorable C. Nelson Harris, Vice Mayor

The Honorable William D. Bestpitch, Council Member

The Honorable William H. Carder, Council Member

The Honorable M. Rupert Cutler, Council Member

The Honorable Alfred T. Dowe, Jr., Council Member

The Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

We have reviewed the attached request to appropriate funding for the School Board. This report will appropriate the following:

- \$15,669 for the Refugee School Impact Grant to provide services for 146 refugee students in the Schools by supplementing regular classroom instructional materials, translating important school documents, providing interpreter services, providing after-school tutorial sessions, and providing additional staff development opportunities for ELL and core content teachers. This continuing grant program is one hundred percent reimbursed by federal funds.
- \$42,757 from the Capital Maintenance and Equipment Replacement Funds for the replacement
 of musical instruments, the replacement of administrative technology equipment, the
 replacement of facility maintenance and custodial equipment and the modifications of handicap
 access at William Fleming High School.

We recommend that you concur with this report of the School Board.

Sincerely,

Jesse A. Hall Director of Finance

Jem A. Hall

Attachment

JAH/ctg

c: Darlene L. Burcham, City Manager
William M. Hackworth, City Attorney
Mary F. Parker, City Clerk

E. Wayne Harris, Superintendent of City Schools

By

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to amend and reordain certain sections of the 2002-2003 School Fund Appropriations, and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2002-2003 School Fund Appropriations be, and the same are hereby, amended and reordained to read as follows, in part:

Appropriations

Education Refugee School Impact Grap	t (1-4)	\$136,381,306 15,669
Revenues		
Education Refugee School Impact Gran	t (9)	\$134,395,172 15,669
Fund Balance		
Reserved for CMERP - School	s (10)	\$ 2,164,738
1) ELL Instructor	(030-062-6850-6105-0121)	\$ 11,770
Social Security	(030-062-6850-6105-0201)	899
Contracted Services	(030-062-6850-6105-0332)	1,000
4) Instructional Supplies	(030-062-6850-6105-0614)	2,000
5) Instructional Assistants	(030-065-6006-6009-0801)	1,935
6) Social Security	(030-065-6006-6302-0806)	7,693
7) Transportation of Pupils	(030-065-6006-6681-0821)	23,904
8) Parental Involvement	(030-065-6006-6896-0829)	9,225
9) Federal Grant Funds	(030-062-6850-1102)	15,669
10) Reserved for CMERP-	•	
Schools	(030-3324)	(42,757)

Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:



AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Capital Projects Fund Appropriations.

BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2002-2003 Capital Projects Fund Appropriations be, and the same are hereby, amended and reordained to read as follows, in part:

Appropriations

Streets and Bridges					26,014,907
I-58	31 Interchange (1)		•••••		6,275,130
Traffic Engineering					4,910,051
Tra	ffic Calming Initiatives (2)		•••••••••••		236,870
1)	Appropriated from Series				
	1996 Bond Issue	(008-052-9545-9088)	\$ (236,870)		
2)	Appropriated from Series	,	, , ,		
	1996 Bond Issue	(008-530-9799-9088)	236,870		

ATTEST:

ST ROAD

Architectural Review Board Board of Zoning Appeals Planning Commission

CITY OF ROANOKE PLANNING BUILDING AND DEVELOPMENT

215 Church Avenue, S.W., Room 166 Roanoke, Virginia 24011 Telephone: (540) 853-1730 Fax: (540) 853-1230 E-mail: planning@ci.roanoke.va.us

February 18, 2003

Honorable Ralph K. Smith, Mayor Honorable C. Nelson Harris, Vice Mayor Honorable William H. Carder, Council Member Honorable M. Rupert Cutler, Council Member Honorable Alfred T. Dowe, Jr., Council Member Honorable William D. Bestpitch, Council Member Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject:

Amending and reordaining Section 36.1.164, Permitted uses, and Section 36.1-185, Permitted uses, of Division 3, Commercial District Regulations, of Article III, District Regulations, of Chapter 36.1, Zoning, of the Code of the City of Roanoke (1979), as amended, to remove medical clinics as a permitted use in the CN, Neighborhood Commercial District, and the C-1, Office District; and amending and reordaining Section 36.1-165, Special exception uses and Section 36.1-186, Special exception uses, of Division 3, Commercial District Regulations, of Article III, District Regulations, of Chapter 36.1, Zoning, of the Code of the City of Roanoke (1979), as amended, to add medical clinics as a use permitted by special exception in the CN, Neighborhood Commercial District, and the C-1, Office District.

Planning Commission Action:

Planning Commission public hearing was held on January 16, 2003. By a vote of 6-0 (Mr. Butler absent), the Commission recommended approval of the proposed amendment.

Background:

On October 2, 2002, the Zoning Administrator received a request for a zoning interpretation of the definition of a "medical clinic", which is defined in the existing Zoning Ordinance as "an establishment which offers medical- or health-related

counseling or treatment (including diagnosis), including dental, optical and psychiatric treatment, where treatment is offered by more than two (2) licensed professional medical practitioners." The proposed "medical clinic" was described as follows:

- A facility that would provide outpatient pharmacological services, including the administering of methadone treatments, and traditional psychosocial addiction treatment services to clients; and
- The facility would be staffed with licensed medical staff in compliance with all applicable state and federal guidelines.

In response to that interpretation request, the Zoning Administrator provided a written opinion acknowledging that such a use would be considered as a "medical clinic" and a use-by-right in the CN, Neighborhood Commercial District, the C-1, Office District, the C-2, General Commercial District, the C-3, Central Business District, and provided for as a special exception in the LM, Light Manufacturing District.

Such a use, and the continuing evolution of healthcare delivery systems, as a use-by-right activity in the CN and C-1 districts, could result in a more intensive land use than previously considered. The Zoning Ordinance should set forth provisions to provide for greater scrutiny of "medical clinics" of this proposed type in the City, particularly the commercial districts oriented and compatible with residential development, namely C-1 and CN Districts.

Considerations:

The proposed amendments will strengthen the City's ability to preserve the integrity of future land use in lower-intensity commercial districts, by considering on a case-by-case basis proposed clinics in mixed commercial and residential neighborhoods. The C-1, Office District, is designed to promote low-intensity uses, which include single-family detached and two-family units as by-right uses. The CN, Commercial Neighborhood District, is intended to support commercial core areas within or in close proximity to residential neighborhoods. Permitting "medical clinics" by special exception rather than a use by-right allows the staff and the Board of Zoning Appeals an opportunity for greater scrutiny of proposed clinics in these two zoning districts.

It is staff's opinion that the authors of the 1987 Zoning Ordinance did not foresee the definition of medical clinic accommodating such uses as an outpatient substance abuse treatment clinic on such a common basis. This type of use has the potential for much higher intensity than originally anticipated by the definition of a "medical clinic."

Vision 2001-2020 includes the following policies and actions:

- 1. "Revise zoning ordinances to address new development patterns and land uses." (p.79, PS A9)
- 2. "Roanoke's neighborhoods are the basic building blocks in the City." (p.39, Housing and Neighborhoods, Policy Approach)
- 3. "Citizens place a strong emphasis on neighborhoods as being an 'essential element in Roanoke's quality of life' and as such, the 'character and environmental quality' of neighborhoods should be protected." (p.77, Public Services, Policy Approach, Zoning and Development Code Administration)

Given the potential of the more commonplace higher-intensity medical clinics today and **Vision 2001-2020's** policies that stress compatibility of uses and the protection of the City's neighborhoods, the proposed text amendments give the City a process to better address these potential concerns.

Recommendation:

By a vote of 6-0, the Planning Commission recommended approval of the proposed text amendments to City Council. The amendments further the intent of **Vision 2001-2020** to update the zoning ordinances to accommodate changes in land uses and to protect and improve the quality of life in the City's neighborhoods.

Respectfully submitted,

Robert B. Manetta, Chairman Roanoke City Planning Commission

Zoleuth Mauetta

cc: Darlene L. Burcham, City Manager
Rolanda Russell, Assistant City Manager for Community Development
William M. Hackworth, City Attorney
Steven J. Talevi, Assistant City Attorney

NIPS

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE amending and reordaining §36.1-164, Permitted uses, and §36.1-185, Permitted uses, of Division 3, Commercial District Regulations, of Article III, District Regulations, of Chapter 36.1, Zoning, of the Code of the City of Roanoke (1979), as amended, to remove medical clinics as a permitted use in the CN, Neighborhood Commercial District, and the C-1, Office District; and amending and reordaining §36.1-165, Special exemption uses, and §36.1-186, Special exception uses, of Division 3, Commercial District Regulations, of Article III, District Regulations, of Chapter 36.1, Zoning, of the Code of the City Roanoke (1979), as amended, to add medical clinics

as a use permitted by special exception in the CN, Neighborhood Commercial District, and the C-1,

BE IT ORDAINED by the Council of the City of Roanoke as follows:

Office District; and dispensing with the second reading by title of this ordinance.

1. Section 36.1-164, <u>Permitted uses</u>, and §36.1-185, <u>Permitted uses</u>, of Division 3, <u>Commercial District Regulations</u>, of Article III, <u>District Regulations</u>, of Chapter 36.1, <u>Zoning</u>, of the Code of the City of Roanoke (1979), as amended, are hereby amended and reordained to read and provide as follows:

Section 36.1-164. <u>Permitted uses</u>.

The following listed uses shall be permitted as principal uses in the CN district. Unless otherwise stated, the maximum gross ground floor area (the "footprint") of any new structure shall be five thousand (5,000) square feet:

(15) Medical clinics.

* * *

o-ca-MedicalClinic121602

Section 36.1-185. Permitted uses.

The following uses shall be permitted as principal uses in the C-1 district.

* * *

(19) Medical clinics.

* * *

2. Section 36.1-165, Special exception uses, and 36.1-186, Special exception uses, of Division 3, Commercial District Regulations, of Article III, District Regulations, of Chapter 36.1, Zoning, of the Code of the City of Roanoke (1979), as amended, are hereby amended and reordained to read and provide as follows:

Sec. 36.1-165. Special exception uses.

The following uses may be permitted by special exception granted by the board of zoning appeals, subject to the requirements of this section:

* * *

(8) Medical clinics.

Sec. 36.1-186. Special exception uses.

The following uses may be permitted in the C-1 district by special exception granted by the board of zoning appeals subject to the requirements of this section:

* * *

- (10) Medical clinics.
- 3. Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:



CITY OF ROANOKEOFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building 215 Church Avenue, S.W., Room 364 Roanoke, Virginia 24011-1591 Telephone: (540) 853-2333 Fax: (540) 853-1138 CityWeb: www.roanokegov.com

February 18, 2003

Honorable Ralph K. Smith, Mayor Honorable C. Nelson Harris, Vice Mayor Honorable William D. Bestpitch, Council Member Honorable William H. Carder, Council Member Honorable Alfred T. Dowe, Jr., Council Member Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Encroachment into Public

Right-of-Way – Awning at 1 West Campbell Avenue -Tax

No. 1011127

Hong Ki Min, owner of 1 West Campbell Avenue, located at the corner of Campbell and Jefferson, has requested permission for a tenant (applicant) to install an awning that will create an encroachment into the public right-of-way of Jefferson Street, SW. See Attachment #1.

The revocable encroachment will extend approximately thirty (30) inches into the right-of-way of Jefferson Street, S. W, at a height above the sidewalk of 8'8". See Attachments #2 and #3. The right-of-way of Jefferson Street at this location is approximately sixty-one (61') feet in width. See Attachment #2. Liability insurance and indemnification of City by the applicant shall be provided as specified in the attached exhibit, subject to approval of the City's Risk Manager. See Attachment #4.

Recommended Action(s):

Council adopt an ordinance, to be executed by the property owner, and recorded in the Clerk's office of the Circuit Court for the City of Roanoke, granting a revocable license to the property owner of 1 West Campbell Avenue, to allow the installation of an awning that encroaches into the right-of-way of Jefferson Street, SW.

Respectfully submitted,

Darlene L. Burcham City Manager

DLB/SEF

Attachments

c: William M. Hackworth, City Attorney
Mary F. Parker, City Clerk
Jesse A. Hall, Director of Finance
Sarah E. Fitton, Engineering Coordinator
Carla R. Webb, 1 West Campbell Avenue, Roanoke, VA

CM03-00025

Attachment #1

JAN 25 2003 2:51PM CARLA R. WEBB, CPA, P.C. 540-342-4670

HONG KI MIN

JRN 24 2003 10:49RM CARLA R. WEBB, CPA, P.C. 540-342-4670

PAGE 81/8:

p.2

January 24, 2003

01/25/2803 15:46 540-776-0749

Me. Sarah Fitton
Engineering Services Coordinator
Engineering Department
City of Roanoke

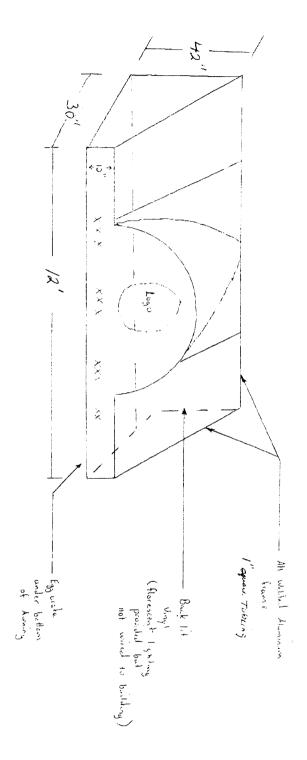
Dear Sarah,

I am applying for an encroachment permit at I West Campbell Avenue on behalf of Screndipity International Markets, Inc. by Carla R. Webb, President. The permit relates to placement of an awning at this address.

Regards,

Hong Ki Min

owner, I West Campbell Avenue



Attachment #3



INSURANCE REQUIREMENTS FOR ENCROACHMENTS IN RIGHT-OF-WAY COMMERCIAL

Owner shall obtain liability insurance coverage with respect to claims arising out of the subject matter of this agreement. The amount of such insurance shall not be less than:

- A. General Aggregate \$1,000,000
- B. Products Completed/Operations Aggregate \$1,000,000
- C. Personal and Advertising Injury \$1,000,000
- D. Each Occurrence \$1,000,000
- E. Above amounts may be met by umbrella form coverage in a minimum amount of \$1,000,000 aggregate; \$1,000,000 each occurrence.

Owner shall name the City, its officers, agents, employees, and volunteers as additional insured as its interests may appear on the above policy. Such coverage shall not be canceled or materially altered except after thirty (30) days prior written notice of such cancellation or material alteration to the Director of Utilities and Operations of the City of Roanoke.

Owner shall indemnify and save harmless the City of Roanoke, its officials, officers and employees, from all claims for injuries or damages to persons or property that may arise by reason of the encroachment over public right-of-way.

DLC

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE granting a revocable license to permit the installation and encroachment of an awning extending at least eight feet eight inches (8'8") above the sidewalk and approximately thirty (30) inches into the public right-of-way at the corner of 1 West Campbell Avenue and Jefferson Street, S.W., and bearing Official Tax No. 1011127, upon certain terms and conditions; and dispensing with the second reading of this ordinance.

WHEREAS, a public hearing was held on February 18, 2003, pursuant to §§15.2-1800(B), 15.2-1813, and 15.2-2010, Code of Virginia (1950), as amended, at which hearing all parties in interest and citizens were afforded an opportunity to be heard on said encroachment.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke that:

- 1. Permission is hereby granted the current owner, Hong Ki Min ("Licensee") and his grantees, assignees, or successors in interest, of the property bearing Official Tax No. 1011127, otherwise known as 1 West Campbell Avenue, S.W., within the City of Roanoke, to permit the installation and encroachment of an awning extending at least eight feet eight inches (8'8") above the sidewalk and approximately thirty (30) inches into the public right-of-way at the corner of 1 West Campbell Avenue and Jefferson Street, S.W., as more fully described in the City Manager's letter to City Council dated February 18, 2003.
- 2. Said license, granted pursuant to §15.2-2010, Code of Virginia (1950), as amended, shall be revocable at the pleasure of the Council of the City of Roanoke and subject to all the limitations contained in the aforesaid §15.2-2010.

- 3. It shall be agreed by the Licensee that, in maintaining such encroachment, the Licensee and his grantees, assignees, or successors in interest shall agree to indemnify and save harmless the City of Roanoke, its officials, officers and employees from all claims for injuries or damages to persons or property that may arise by reason of the above-described encroachment in the public right-of-way.
- 4. Licensee, his grantors, assigns or successor in interest shall for the duration of this license maintain on file with the City Clerk's Office evidence of insurance coverage in amounts not less than \$1,000,000.00. This insurance requirement may be met by either homeowner's insurance or commercial general liability insurance. Certificate of insurance must list the City of Roanoke, its officers, employees, agents and volunteers as additional insureds, and an endorsement by the insurance company naming the City as an additional insured must be received within thirty (30) days. Certificate shall state that insurance may not be canceled or materially altered without 30 days written advance notice of such cancellation or alteration being provided to the Risk Management Officer for the City of Roanoke.
- 5. The City Clerk shall transmit an attested copy of this ordinance to Mr. Hong Ki Min, 2727 Electric Road, S.W., Roanoke, Virginia 24018.
- 6. This ordinance shall be in full force and effect at such time as a copy, duly signed, sealed, and acknowledged by Mr. Hong Ki Min, has been admitted to record, at the cost of the Licensee, in the Clerk's Office of the Circuit Court for the City of Roanoke and shall remain in effect only so long as a valid, current certificate evidencing the insurance required in Paragraph 4 above is on file in the Office of the City Clerk.

7.	Pursuant to the provisions	of Section 12 of the City Charter, the second reading of this
ordinance	e by title is hereby dispensed with	h.
		ATTEST:
		City Clerk.
A	CCEPTED and EXECUTED b	y the undersigned this day of,
·		HONG KI MIN
STATE O	OFOUNTY OF	_
CITY/CO	UNTY OF	_ \$
Th day S.W., Roa	ne foregoing instrument was ack of, by noke, Virginia.	nowledged before me in my jurisdiction aforesaid this y Hong Ki Min, the owner of 1 West Campbell Avenue,
M	y Commission expires:	
[SEAL]		
		Notary Public



CITY OF ROANOKEOFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building 215 Church Avenue, S.W., Room 364 Roanoke, Virginia 24011-1591 Telephone: (540) 853-2333 Fax: (540) 853-1138 CityWeb: www.roanokegov.com

February 18, 2003

Honorable Ralph K. Smith, Mayor, and Members of City Council Roanoke, Virginia

Dear Mayor Smith and Members of Council:

Subject:

Lease of City Market Building

CM03-0029

This is to request space on Council's regular agenda for a report on the above referenced subject.

Respectfully submitted,

Darlene L. Burcham

City Manager

DLB:sm

c:

City Attorney

City Clerk

Director of Finance